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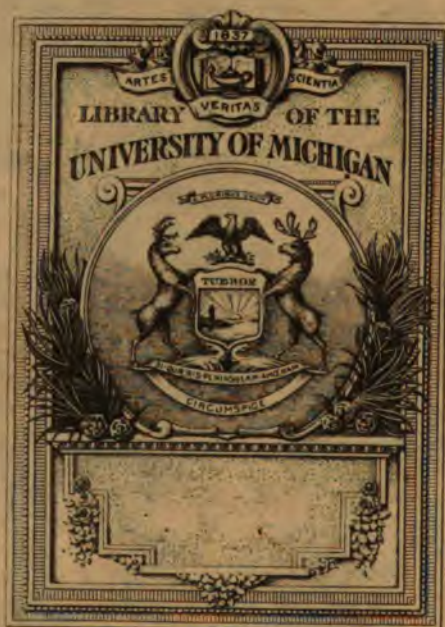
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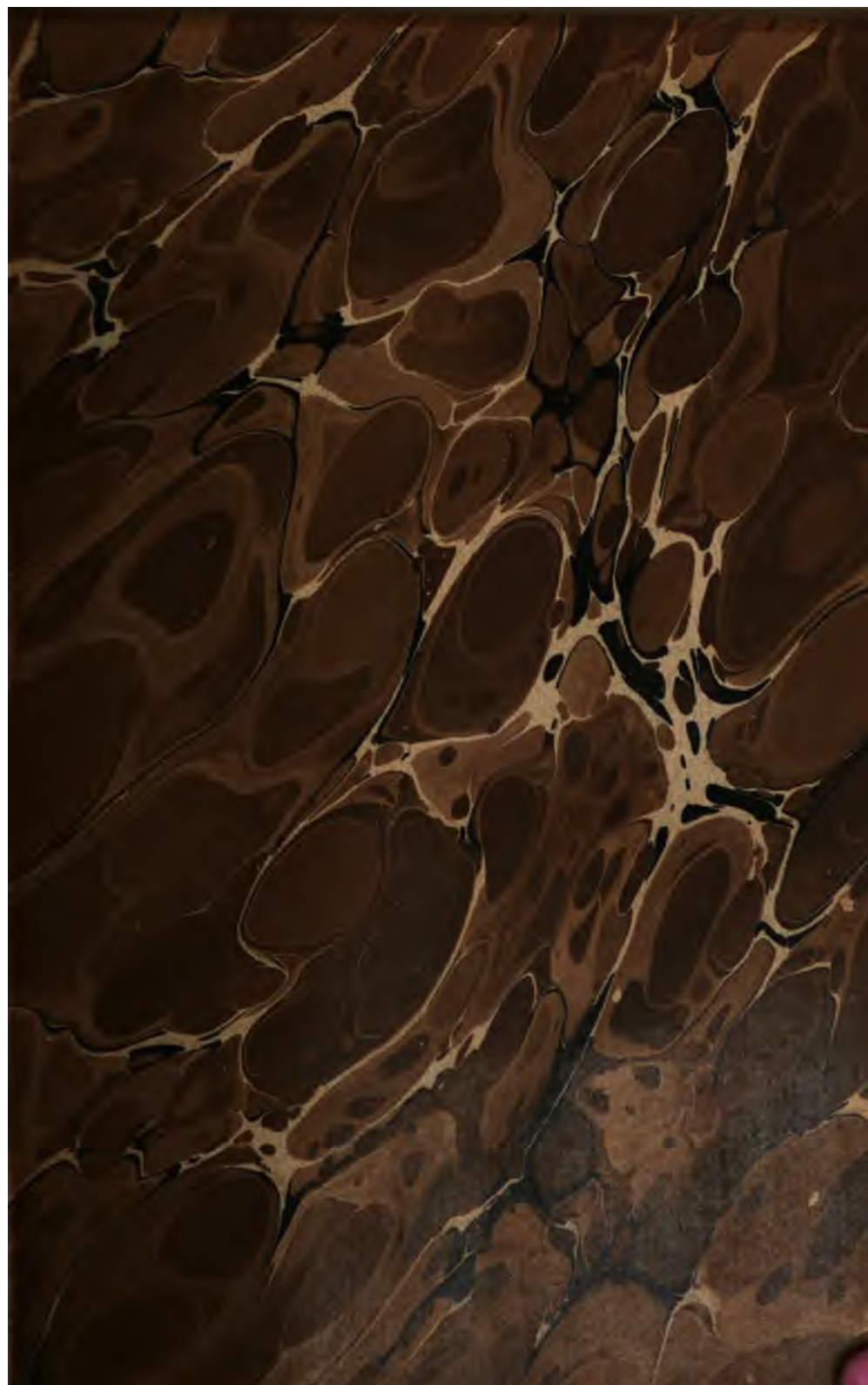
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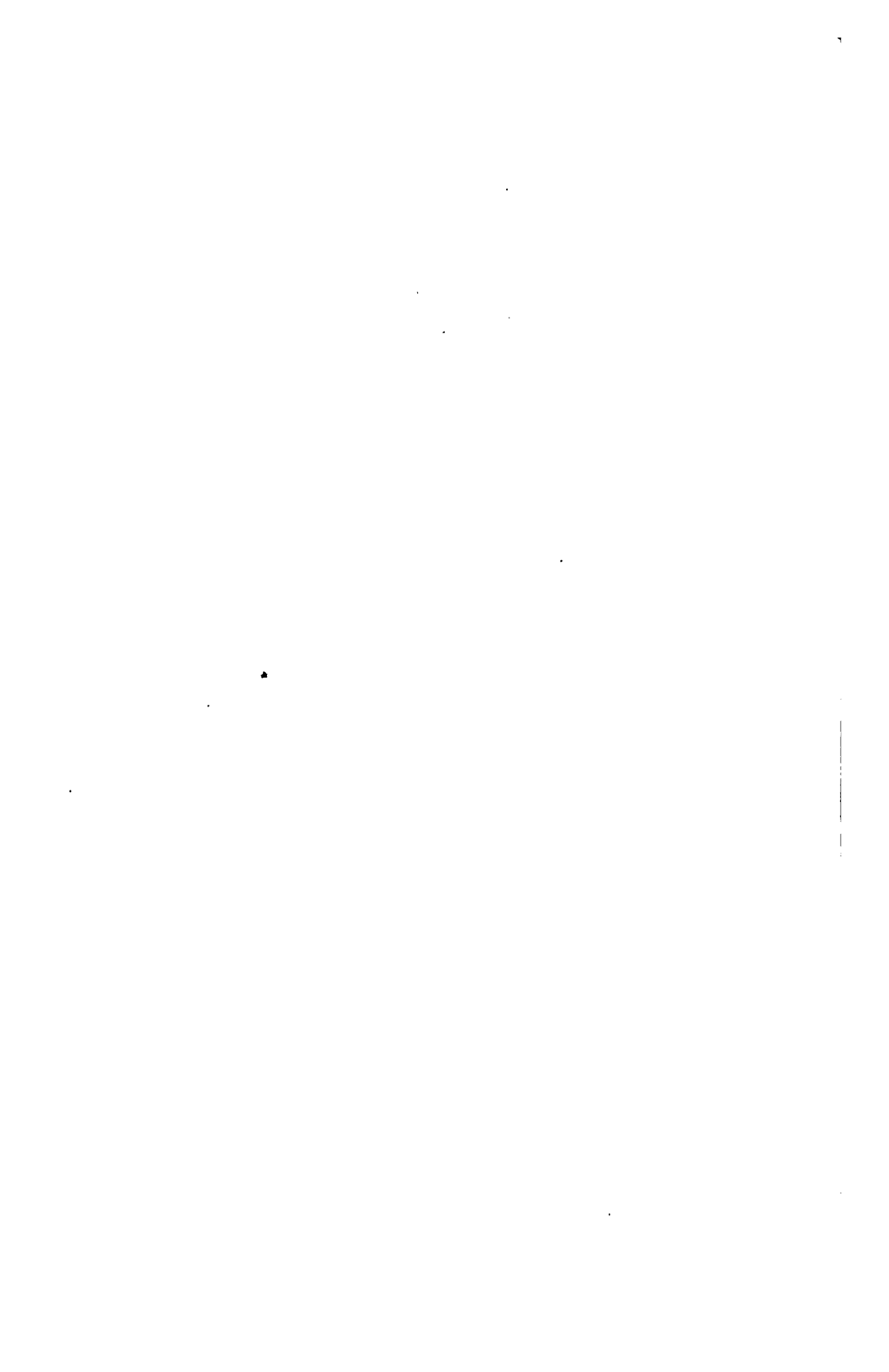
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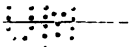
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THE REIGN OF KING CHARLES THE SECOND;

WITH A BRIEF ACCOUNT OF THE
AFFAIRS OF RELIGION IN IRELAND.

COLLECTED FROM THE BEST ANCIENT HISTORIANS, COUNCILS, AND RECORDS,

BY

JEREMY COLLIER, M.A.



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FRANCIS BARHAM, ESQ.

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OF

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*Theodorus, Archbishop of Canterbury's Letter to Ethelred, King
of the Mercians.*

I.

GLORIOSISSIMO et excellentissimo Elthelredo regi Merciorum 705.
 Theodorus, gratia Dei Archiepiscopus, in Domino perennem
 salutem. Cognoscat itaque, fili mi dilectissime, tua miranda
 sanctitas pacem me in Christo habere cum venerando episcopo
 Wilfrido, et idcirco te, carissime, paterna dilectione ammoneo,
 et in Christi charitate tibi præcipio, ut ejus sanctæ devotioni,
 quantum vires adjuvant, præstante Deo patrocinium, sicut
 semper fecisti, quam diu vivas, impendas : quia longo tempore
 propriis orbatus substantiis in paganos in Domino multum
 laboravit. Et idcirco, Ego Theodorus, humilis episcopus, de-
 crepita ætate hoc tuæ beatitudini suggero : quia Apostolica
 hoc velut sanctis commendat auctoritas, ut ille supra nomina-
 tus sanctissimus in patientia sua, sicut dicit Scriptura, possi-
 deat animam suam, et injuriarum sibi unjste inrogatarum
 (immemor) humilis, et mitis Caput suum Dominum salvatorem
 sequens, et medicinam expetens : et si inveni gratiam in con-
 spectu tuo, licet tibi pro longinquitate itineris durum esse
 videatur, oculi mei faciem tuam jucundam videant, et bene-
 dicat tibi anima mea, antequam morior. Age ergo, fili mi, fili
 mi, taliter de illo supra fato viro sanctissimo, sicut te depre-
 catus sum. Quod si patri tuo non longe de hoc seculo reces-

Eddius in
 Vit. S. Wil-
 frid. c. 42.
 inter 15
 Scriptor.
 A. D. 687.

suro obedieris, multum tibi proficiet ad salutem. Vale in pace, vive in Christo, dege in Domino, Dominus sit tecum.

II.

De Libertate Capellarum Domini Regis.

Annales
Monas.
Burton.
p. 304.
A.D. 1254.

Henricus Dei gratia Rex Angliæ, &c. universis Christi fidelibus ad quos præsens scriptum pervenerit, salutem. Noverit universitas vestra, quod nuncii nostri, quos nuper pro negotiis nostris et regni nostri ad Generale Concilium apud Lugdunum celebratum destinavimus, inter plura privilegia nobis et regno nostro a Domino Papa Innocentio concessa, unum nobis de immunitatibus, exemptionibus, et libertatibus capellarumstrarum detulerunt, in hæc verba.

Innocentius Episcopus Servus, &c. carissimo in Christo filio Henrico Regi Anglorum illustri salutem, et Apostolicam benedictionem. Tanto libentius celsitudinis tuæ precibus benignum impartimur assensum, quanto inter reges et principes Christianos te specialius in Domino reputamus dilectum et devotum. Tuis itaque supplicationibus inclinati, districtius inhibemus, ne aliquis ordinarius, aut etiam delegatus, vel etiam subdelegatus in capellas regias, et oratoria earundem, Ecclesiæ Romanæ immediate subjecta, seu canonicos vel servientes eorundem, contra tenorem privilegiorum, aut indulgentiarum Apostolicæ sedis, excommunicationis, vel interdicti sententiam promulgare, seu aliquod ipsis onus imponere, quod aliis exemptionis ecclesiis non consuevit imponi absque mandato sedis Apostolicæ speciali, quod expressam faciat de inhibitione hujusmodi mentionem. Nulli ergo, omnino hominum liceat hanc paginam nostræ inhibitionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumserit, indignationem omnipotentis Dei, et beatorum Apostolorum Petri et Pauli se noveriti necursurum. Data Lugduni XII. Kal. Augusti, Pontificatus nostri anno.

706.

Volentes igitur privilegium illud in perpetua firmitate manere, vobis universis et singulis mandamus, quatenus illud inviolabiliter observetis, et observari facietis; et ne aliquis contra prædictum privilegium aliquid audeat attemptare, sedem Apostolicam appellamus. Teste meipso apud Westmonasterium, xx. die Martii, anno regni nostri xxx.

III.

King Ethelwulf's Grant of the Tithes of the Kingdom to the Church.

Ego Ethelwulfus, gratia Dei Occidentalium Saxonum Rex, in sancta ac celeberrima paschali solemnitate, pro meæ remedio animæ, et regni prosperitate, et populi ab omnipotente Deo mihi collati, consilium salubre cum episcopis, comitibus, et cunctis optimatibus meis perfecti, ut decimam partem terrarum per regnum nostrum, non solum sanctis ecclesiis darem, verum etiam ministris nostris in eadem constitutis, in perpetuam libertatem habere concessimus: ita ut talis donatio fixa incommutabilisque permaneat, ab omni regali servitio, et omnium secularium servitute absoluta. Placuit autem Elkstano episcopo Scireburnensis ecclesiæ, Swithuno Wentanæ ecclesiæ episcopo et ducibus communiter. Hoc autem fecimus in honore Domini nostri Jesu Christi, et beatæ semper Virginis Mariæ, et omnium sanctorum, et paschalis festi reverentia, ut Deus omnipotens nobis et nostris posteris propitiari dignetur. Scripta autem est hæc cartula ab incarnatione Domini nostri Jesu Christi DCCCLIV indictione II. die paschali in palatio nostro quod dicitur Wiltun. Qui autem augere voluerit nostram donationem, augeat omnipotens Deus dies ejus prosperos. Si quis vero minuere vel mutare presumpserit, noscat se ante tribunal Christi redditurum rationem, nisi prius satisfactione emendaverit.

- + Ego Ethelwulfus Rex consensi et subscripsi.
- + Ego Ælhstan Episcopus consensi et subscripsi.
- + Ego Swithun Episcopus consensi et subscripsi.
- + Ego Wlflaf Abbas consensi et subscripsi.
- + Ego Werferth Abbas consensi et subscripsi.
- + Ego Æthred consensi et subscripsi.
- + Ego Ælfred Filius Regis consensimus.

IV.

Ealdulph, Archbishop of York's Profession of Canonical Obedience to Ethelard, Archbishop of Canterbury.

Domino meo vere amantissimo Ethelardo archiepiscopo, Ealdulphus Eboracensis humilis Episcopus, tuncque amicus,

Monasticon
Anglic.
vol. I.
p. 100.
A. D. 854.

Angl. Sacra,
pars I. p. 78.
e Biblioth.
Cotton.

Cent. viii.
sub fin.

* Interim,
Cod. Cott.

perennem in Domino salutem. Solet namque sancta Ecclesia juxta normulam paternæ traditionis, gloriosissimis Verbi prædicatoribus, scil. episcopis, ex hac luce migrantibus, alios iterum, Deo auspice, in regimen Christianæ plebis præsules promovere. Quatenus per eos interius * fides sancta augeatur ; et Verbum Dei non deficiat, sed magis crescat, et currat, et multiplicetur in laudem et gloriam Domini nostri Jesu Christi, secundum illud Psalmistæ, " Pro patribus tuis nati sunt tibi filii." Cujus (viz.) episcopi, quisquis ille est, fides primum discutienda est, si de Domino bene ipse sentiat, quod aliis prædicare conatur : ac sic paulatim quæritur, si docibilis, si moribus temperatus, si sobrius, si vita castus, si humilis, si affabilis, si misericors, si literatus, si in lege Domini instructus, si in Scripturarum sensibus cautus, si in dogmatibus ecclesiasticis exercitatus. Ad hæc tibi, amantissime pater, me idoneum, ut fertur, non esse respondeo ; tamen quantum in me puræ fidei cognitionis est, tibi otius expedire curabo. Credo Deum Patrem, et Filium, et Spiritum Sanctum, atque in Trinitate Deum plenum confirmans, et totas tres personas unum Deum. Incarnationem quoque divinam non in Patre factam, neque in Spiritu Sancto, sed in Filio tantum, ut qui erat in divinitate Dei Patris Filius, ipse fieret in homine hominis matris Filius : Deus verus ex Patre, homo verus ex matre : qui est unus Deus, Creator omnium quæ sunt cum Patre et Spiritu Sancto ; qui passus est vera carnis passione, et resurrexit vera carnis resurrectione, et animæ resumptione, in qua veniet judicare vivos et mortuos judicio perenni. Hoc absque ambiguitate credo, hoc laudo, hoc confiteor, et per populos predicare desidero. In hujus etiam summa professionis a R. R. Ethelardo pontifice eruditus, pontificatus licet indignus promerui dignitatem. Cujus etiam, quanto tempore aura vescar ætherea, jussionibus non reluctor ; sed semper obedientiæ meæ humilis colla submittere curabo tibi, Ethelarde archiepiscopo, tuisque successoribus in perpetuum. Et si diversi quondam diversa sectarentur ; meæ saltem obtemperantiæ servatur diligentia ; unde honoris experientiam percepturus sum, ac gloriosissimi quique gentis nostræ præsules perceperunt. Nec ab re est, si ad episcopalem B. Augustini sedem, cui prius præsidet Ethelardus archiepiscopus, non ego tantum sed et omnes mecum præsules prospiciant ad Doroberniam civitatem, unde nobis omnibus ecclesiasticæ dignitatis ordo, B. Gregorio dirigente, ministratur. Sed te

precor, amantissime pater; ut quem solita pietate rudimentis fidei imbuisti, tua paterna benedictione non deseras: ut quos effectuosa junxit familiaritas, beata remuneratio non separat sempiternos. Hanc præscriptam paginam ego Eadulphus episcopus mea propria manu cum vexillo sanctæ crucis Christi confirmabo, et subscribo. Opto bene valeas, pater beatissime, semper: plurimis annis incolumitatem vestram gratulabundus audire merear.

The Second Numb. IV.

Epistola Albinii sive Alcuini Canonici Ecclesiæ Eboracensis et Magistri Caroli magni Imperatoris ad Regem Northumbrorum Adelredum.

Excellentissimo filio Adelredo regi, et amicis dulcissimis Osbaldo patricio, et Osberto duci, et omnibus fraternæ dilectionis amicis, Alcuinus Levita eternæ beatitudinis salutem. Suavitas sancti amoris sæpius me cogit de antiqua ammonere amicitia; de animarum vestrarum salute, et de fidei veritate, et de pacis concordia, quam habere debetis inter vos: quia amicitia quæ deseri potest nunquam vera fuit. Amicus fidelis diu quæritur, vix invenitur, difficile servatur; vos quærens amicos servabo, amicos nec dimittam quos amare ceppi; et si lingua taceat vestra de me, literæ tamen meæ non taceant de vobis; sed semper ammonéo devotionis studio quorum semper desidero prosperitatis salutem. Cogitate quis vos multiplici liberavit tribulatione, quotiens præsentem ejus misericordia evasistis mortem; quotiens de manibus inimicorum erepti fuistis. Recordamini quis vobis omnes perdonavit honores quos habetis, prosperitates contulit, sanitates largitus est, omnibus vos vestris fecit inimicis sublimiores, hiis omnibus bonis nolite ingrati esse; quia horum gratia bonorum vitam merebimini sempiternam: sed quia hæc felicitas hujus sæculi nobis æterna esse non poterit; studere diligentissime ut post hos honores terrenos, cœlestes habere mereamini. Omnia hujus sæculi delectamenta velut volatilis fugit umbra, et solummodo manet in remuneratione bonorum quod pro Dei amore egistis. Gradibus enim via de terra videtur esse ad cælum, firmissima debet esse scala per quam ascenditur. Facilis est casus ad inferna: sed hæc facilitas magnam habet difficultatem, sempiternum siquidem ignem, qui uret inextinguibili-

Ex Biblioth.
Cotton.
Faustina.
B. iv.

liter, cadentes in illum. Difficultas vero ascensionis in cœlum magnum habet gaudium, dum pervenitur quo ascenditur, beatitudinem siquidem sempiternam. Si forte quæritis quomodo quis ascendat in cœlum, vel quis quomodo cadat in infernum; per mala igitur opera ruit ad infima, per bona vero opera ascendit ad superna. Mala itaque sunt opera, delectatio carnalis, ambitio secularis, avaritia et omnis concupiscentia mala, violentia, rapina, mendacium, perjurium, luxuria, fornicatio, invidia, homicidia, ebrietates, commessiones, inimicitiae et superbia, dicente Apostolo quomodo qui talia agunt, regnum Dei non possidebunt, nisi confessione et longa pœnitentia et eleemosynis multis emendentur: unum quodque horum quod enumeravi regnum Dei claudere poterit, et infernales pœnas aperire homini: vae animæ quæ ardentes flammas sustinere cogitur. Bona vero sunt opera per quæ ascendere cœlum possumus: charitas Dei, honor illius et timor, vigiliæ et orationes ad Dominum, dilectio hominum, et misericordia in homines, et remissio peccantibus in nos; justitia in judiciis, veritas in verbis, patientia in adversitatibus, nemini reddere malum pro malo, eleemosynæ in pauperes, benignitas in omnes homines, pietas in amicos, fides recta in Dominum, spes firma in illius bonitate, modestia in vestimentis, et in omni usu sæculari temperantia, continentia in cibo et potu, in mente humilitas, in moribus honestas, in omni vita æquitas. Hii sunt gradus per quos cœlum ascenditur, hii sunt mores qui homines faciunt laude dignos; hæc sunt opera quæ gaudia sempiterna merentur: hæc est sapientia vera, ut homo sibi provideat, quomodo in æternum feliciter vivat. Nullatenus homo perire poterit sicut animal quodlibet, sed post hanc vitam victurus erit in æternum; bene propter bona opera, male propter mala opera, quoniam Deus unicuique reddet secundum opera sua. Nolite injustas amare divitias, quoniam omnis injustitia ulciscitur a Domino, et melior est benedictio Domini quam omnes divitiæ mundi. Quicquid in seculo amatur, amittitur; quicquid pro Deo datur, habetur. Cui largus eris si tuæ animæ tenax? vel quis tibi fidelis erit si tu tibi ipsi infidelis eris? Cur in alium spem ponis, et tu tibi ipsi benefacere non vis? Morieris, o homo, et omnia dimittis quæ habes: hic vis dives esse peregrinus, et parvi temporis hospes, et non vis ibi dives esse ubi semper eris. Premitte tibi divitias tuas, ut habeas in æternum quod amas in seculo. Construe tibi bonis operibus beatam domum:

o quam semper miser erit qui semper arsurus erit in igne ! qui tenebris circumdatur horrendis, qui nihil audiet nisi voces flentium et stridentium dentibus horrorem ; qui nihil sentit nisi flammam edaces et frigora ingentia, et vermium venenosos dentes ! Ut hæc horribilia, o amice, evadere valeas, nullus tibi labor durus videri debet ; ut ad illam beatitudinem pervenire merearis æterna pace jocundissimam, æterna gloria felicissimam. Nulla secularis ambitio, nulla carnalis delectatio, nulla inimicorum vindicta impediat cursum tuum, sed curre dum lucem habes, operare dum dies est, quatenus ad lucem pervenias perpetuam, ut cum Christo et sanctis ejus regnare merearis in gloria sempiterna. Non solum vos, viri clarissimi et filii clarissimi, hiis meis admoneo litterulis, sed et omnes dilectæ gentis principes, et diversarum dignitatum nomina, seu ecclesiasticæ pietatis ordines, seu secularis potentie sublimitates, communi charitatis intuitu quasi alumnus vestræ dilectioni devotus deprecor, Dei diligentissime obedire præceptis, prædicatoribus salutis vestræ subditos esse : illorum est, i. e. sacerdotum, verba Dei non tacere ; vestrum est, o principes, humiliter obedire, diligenterque implere. Regis est omnes iniquitates pietatis suæ potentia opprimere ; justum esse in judiciis, pronum in misericordiam, semper quod ille misereatur subjectis, miserebitur ei Dominus ; sobrium in moribus, veridicum in verbis, largum in donis, providum in consiliis, consiliarios habere prudentes, Domini timentes, honestis moribus ornatos : oportet eum non cupidum esse alienæ hæreditatis, non avarum, non violenter rapientem ; dicente Apostolo, Neque fures, neque avari, neque rapaces, regnum Dei possidebunt. Sæpe enim per rapinas propria amittit, quia Dominus gemitum exaudit oppressorum. Legimus quoque quod regis bonitas totius est gentis prosperitas, victoria exercituum, aeris temperies, terræ abundantia, filiorum benedictio, sanitas plebis. Magni est totam regere gentem : a regendo vero rex dicitur ; et qui bene regit subjectum sibi populum, bonam habet a Deo retributionem, regnum scilicet cœleste. Valde feliciter regnat in terra, qui de terreno regno merebitur cœleste. Orationibus vero et vigiliis eo instantius ad Deum insistere debet, quoniam non pro se solummodo, sed pro totius gentis prosperitate Dominum deprecari debet : similiter principes et iudices populi, in justitia et pietate populo præsent, viduis, pupillis, et miseris sint quasi patres, quia sequitas prin-

cipum populorum est exaltatio. Ecclesiarum Christi sint defensores et tutores, ut servorum Dei orationibus longa vivant prosperitate. Ecclesia enim sponsa est Christi, et qui eam violare nititur vel rapere quæ sua sunt, vindicat in eum Dominus Christus sponsus suæ sanctæ Ecclesiæ. Vidistis quoniam perierunt antecessores vestri reges et principes, propter iniquitias et rapinas, et immunditias vitæ; nec ab hujusmodi se criminum capitalium, Dominum timentes, abstinerunt: nec, quod pejus est, immanissima scelerum vulnera penitentiae medicamentis sanare curaverunt; sed computruerunt in peccatis suis donec repentino terrore cecidit super eos iudicium Dei; et tam infelicitè in conspectu omnium perierunt, quia impudenter sine ulla reverentia pessimis se involvi sceleribus non metuerunt. Heu quam misere præsentem perdidit vitam, sed multo miserabilius in æternis cruciantur tormentis! Timete illorum perditionem, et a talibus vosmetipsos impietatibus servate, in quibus illi perierunt. Idem enim Dominus super vestra vigilat opera, qui illorum non pepercit sceleribus; multi vero per rapinas et iniquitates colligere gestiunt, et nesciunt quod utrumque propter avaritiam iniquam et terrena cito perdunt bona, et cœlestia nunquam acquirunt. Hujusmodi viri, fratres, in vobismet ipsis cavete iniquitates, quatenus Dominum omnipotentem in præsentè vita propitium habere mereamini, et in futura æternorum largitorem. Pacem habete inter vos, et benignitatem, misericordiam et justitiam ad omnes homines, et castitatem corporis vestri custodite; ut Spiritus Sanctus vestris inhabitet pectoribus, qui sapiens vobis semper suggerat consilium, vosque ab omni defendat hoste visibili et invisibili. Vestroque Domino fideles estote, ut per vestram concordiam regnum dilatetur, vestrum quod sæpe per discordiam minui solebat: dicente ipsa Veritate, Omne regnum in seipsum divisum desolabitur: sicuti maxima mundi imperia per dissensiones intestinas dilapsa decrescebant: et e contra quod minima quæque civitatis cujuslibet vel provinciæ per pacificam concordiam regnum crescebat et proficiebat, et fortioribus sibi tandem imperabat regnis. Timete flagellum quod venit super ecclesiam sancti Cuthberti, locum scilicet sanctissimum et multorum sanctorum suffragiis diu tutissimum; nunc vero miserabiliter a paganis devastatum. Qui hoc non timet et seipsum non corrigit, et pro sua prosperitate non plangit ad Dominum, carneum non habet cor, sed lapideum. Episcopo-

rum est monasteria corrigere, servorum Dei vitam disponere, populo Dei verbum prædicare. Laicorum est obedire prædicationibus. Sacerdotum est diligenter plebem erudire subjectam, justos esse et misericordes: quatenus divina benedictio per suam magnam misericordiam vobis vestrisque nepotibus patriam in bona prosperitate conservare dignetur; quam nostris parentibus per pietatis suæ dextram perdonare dignata est: ad defensionem sanctæ Ecclesiæ suæ et prosperitatem gentis vestræ divina pietas vos conservare dignetur.

Alia Epistola Alcuini ad eundem Regem Adelredum.

Domino dilectissimo Adelredo regi, et omnibus optimatibus ejus, humilis Levita Alcuinus salutem. Memor dulcissimæ dilectionis vestræ, viri fratres et patres, etiam et honorabiles in Christo Domini; desiderans longæva prosperitate patriam divinam nobis conservare misericordiam, quam gratuita largitate per suam nobis olim contulit gratiam: idcirco sæpius vos, charissimi commilitones, vel præsens, si Deus annuerit verbis, vel absens spiritu in spirante divino, scriptis ammonere non cesso; et quæ ad sospitatem patriæ terrenæ, et quæ ad beatitudinem perpetuæ, pertinere noscuntur, sæpius iterando, quasi civibus ejusdem patriæ, auribus ingerere vestris; ut multotiens audita mentibus inolescant ad salutem. Quæ est charitas in amicum si utilia tacet amico? Cui debet homo fidem si non patriæ? Cui prosperitatem si non civibus? Duplici enim germanitate concives sumus unius civitatis in Christo, id est, matris Ecclesiæ filii, et unius patriæ indigenæ: ideo vestra non horrescat humanitas benigne accipere, quod mea offerre pro salute patriæ studet devotio: nec culpas vobis invehere me arbitramini, sed poenas amovere velle intelligite. Ecce trecentis et quinquaginta ferme annis quod nos nostrique patres, hujus pulcherrimæ patriæ incolæ fuimus, et nunquam talis terror prius apparuit in Britannia, veluti modo a pagana gente perpassi sumus; nec ejusmodi navigium fieri posse putabatur. Ecce Ecclesia sancti Cuthberti, sacerdotum Dei sanguine aspersa, omnibus spoliata ornamentis: locus cunctis in Britannia venerabilior, paganis gentibus datur ad depredandum: et ubi primum post discessum sancti Paulini ab Eboraco, Christiana religio in nostra gente sumpsit initium, ibi miseriæ et calamitatis cœpit exordium. Quis hoc non timet? Quis hoc quasi

Ex Biblioth.
Cotton. ibid.

captam patriam non plangit? Vineam electam vulpes deprædarunt, hæreditas Domini data est populo non suo: et ubi laus Domini ibi ludus gentium; festivitas sancta versa est in luctum. Attentius considerate, fratres, et diligentissime perspicite, ne forte hoc inconsuetum et inauditum malum, aliqua inauditi mali consuetudine promereretur. Non dico quod fornicationis peccata prius non essent in populo, sed a diebus Adelfaldi regis fornicationes, adulteria, et incestus inundaverunt super terram; ita ut absque omni verecundia, etiam et in ancillis Deo dicatis, hæc peccata perpetrabantur. Quid dicam de avaritia, rapinis, et violentis judiciis; dum luce clarius constat quantum ubique hæc crimina succreverunt, ut populus testatur spoliatus. Qui sanctas legit scripturas, et veteres revolvit historias, et sæculi considerat eventum, inveniat pro huiusmodi peccatis, reges, regna, et populos patriam perdidisse. Et dum aliena potentes injuste rapuerunt, propria juste perdidērunt. Signa enim hujus miseriæ præcesserunt, alia per res inconsuetas, alia per mores insolitos. Quid significat pluvia sanguinis, quum quadragesimali tempore Eboracensi civitate, in ecclesia beati Petri principis Apostolorum, quæ caput est totius regni, vidimus de borealibus domus sereno aere de summitate minaciter cadere tecti? Nonne potest putari a borealibus pœnas sanguinis venire super populum? Considerate habitum et tonsuram et mores principum et populi luxuriosos! Ecce tonsura quasi in barbis et in capillis paganis assimilari voluistis! Nonne illorum terror imminet quorum tonsuram habere voluistis? Quid quoque immoderatus vestimentorum usus, ultra humanæ necessitatem naturæ, ultra antecessorum vestrorum consuetudinem? Hæc superfluitas principum, paupertas est populi. Tales consuetudines olim populo Dei nocuerunt, et eum paganis gentibus dederunt in opprobrium, dicente propheta, "Væ vobis qui vendidistis pauperem pro calceamentis!" id est, animas hominum pro ornamentis pedum. Alii in enormitate vestium laborant, alii frigore pereunt; alii divitiis et epulis, ut purpuratus dives, inundant, et Lazarus ante januam fame moritur. Ubi est fraterna charitas? Ubi misericordia quam in miseros habere ammonetur? Satietas divitis, esuries est pauperis. Timenda est illa Dominica sententia, Judicium absque misericordia illi est qui non facit misericordiam: item beato Petro Apostolo dicente legimus, "Tempus est ut iudicium incipiat a domo Dei." Ecce iudicium a domo

Dei, in qua tanta luminaria totius Britanniae requiescunt, cum magno ingruit terrore. Quid de aliis aestimandum est locis, dum huic sanctissimo loco iudicium non pepercit divinum? Non arbitror illorum hoc esse, qui in eo habitant loco, tantummodo peccatum. Utinam ut illorum correptio aliorum sit emendatio, et quod pauci perpessi sunt plurimi pertimescant, et unusquisque dicat in corde suo gemens et tremebundus; Si tanti viri et tam sancti patres suam habitationem et requiei suae loca non defenderunt, quis mea defendet? Defendite patriam precibus assiduus ad Deum, iustitiae et misericordiae operibus ad homines: sit vobis moderatus usus in vestimentis et cibo: nihil melius patriam defendit quam principum aequitas et pietas, et servorum Dei intercessionem. Mementote quod Hezekias rex justus et pius, una prece impetravit a Deo ut hostium centum octoginta quinque millia una nocte perimerentur ab angelo. Similiter idem ipse mortem imminentem sibi lacrymis profusis avertit, et quindecim annos vitae suae hac prece superaddi promeruit a Deo. Mores etiam honestos habete Deo placabiles et hominibus laudabiles: estote rectores populi non raptores, pastores non praedatores; Deo dante honores accepistis, attendite observationem mandatorum ejus, ut eum habeatis servatorem, quem habuistis largitorem. Obedite sacerdotibus Dei, illi enim habent rationem reddere Domino, quomodo vos ammonent, et vos quomodo obediat is illis. Sit una pax et charitas inter vos, illi intercessores pro vobis, vos defensores pro illis. Super omnia autem charitatem Dei habete in cordibus vestris, et eandem charitatem in observatione mandatorum ejus ostendite. Amate eum ut patrem, ut ille vos defendat quasi filios. Volentes nolentes illum habebitis iudicem: attendite bonis operibus, ut propitium eum habeatis vobis. "Praeterit enim figura hujus mundi," et omnia caduca sunt quae hic videntur, vel habentur. Hoc solum de suo labore potest homo secum afferre, quod in elemosynis vel bonis operibus gerit. Omnes oportet nos stare ante tribunal Christi, ut ostendat unusquisque omnia quae gessit sive bonum sive malum. Cavete tormenta Gehennae dum vitari possunt, et acquirite vobis regnum Dei et aeternam beatitudinem, cum Christo et sanctis illius in saecula sempiterna. Deus vos et in hoc terreno regno felices efficiat, et aeternum vobis concedat cum sanctis suis patriam, Domini, fratres, et filii charissimi.

V.

Wulston, Bishop of Worcester's Summons to the Council at Winchester ; by which he is ordered to bring only the Abbots of the Diocese along with him.

A. D. 1070.
Biblioth.
Bodleian.
inter MSS.
Francf.
Junii,
num. 99.

Epistola Cardinalium urbis Romæ ad Wulstanum episcopum.
J. et P. presbyteri cardinales sancti Petri Wulstano de Wihracestre episcopo, salutem.

Licet Romana Ecclesia circa correctionem omnium Christianorum invigilare debeat ; specialius tamen ea conversationis vestræ mores convenit inquirere ; et Christianam religionem quæ vos primitus instruxit diligentia suæ visitationis reparare : hujus itaque sollicitudinis debito nos qualescunque Beati Petri Apostoli ministros, et vice atque autoritate Domini nostri Papæ Alexandri fultos, ad partes vestras direximus ; ut concilium vobiscum celebraturi, quæ in vinea Domini Sabaoth male pullulant reseceamus, et animarum et corporum utilitati profutura plantemus. Vestram igitur fraternitatem in partem tantæ sollicitudinis Apostolica autoritate invitamus, ut tertia die post proximum Pascha, remota omni occasione, ad Wincestram conveniatis, et omnes abbates diocæsis vestræ, ostensis his literis nostris, vobiscum venire commoneatis.

The Second Numb. V.

Thomas, Archbishop of York's profession of Canonical Obedience to Lanfranc, Archbishop of Canterbury.

Malmesbur.
de Gest.
Pontif.
Angl. lib. 1.
fol. 111.
A. D. 1072.

Decet Christianum quemque Christianis legibus subjacere ; nec his quæ a sanctis patribus salubriter instituta sunt quibuslibet rationibus contraire : hinc namque iræ, dissentiones, invidiæ, contentiones, cæteraque procedunt, quæ amatores suos in pœnas æternas demergunt. Et quanto quisque altioris est ordinis, tanto impensius divinis debet obtemperare præceptis. Propterea ego Thomas ordinatus jam Eboracensis ecclesiæ Metropolitanus Antistes, auditis cognitisque rationibus absolutam tibi, Lanfranc Dorobernensis archiepiscopo, tuisque successoribus de canonica obedientia professionem facio, et quicquid a te vel ab eis juste et canonice mihi injunctum fuerit, servaturum me esse promitto. De hac re autem dum a te ordinandus essem dubius fui. Ideoque tibi quidem

sine conditione, successoribus vero tuis conditionabiliter obtemperaturum me esse promisi.

Anno ab incarnatione Domini nostri Jesu Christi millesimo septuagesimo secundo, regni vero Willielmi gloriosi regis Anglorum et ducis Normannorum, sexto; pontificatus autem Domini Alexandri Papæ, undecimo, in præsentia regis et episcoporum, atque abbatum, ventilata est causa de primatu: quem Lanfrancus Dorobernensis archiepiscopus super Eboracensem ecclesiam jure suæ ecclesiæ proclamabat, et de ordinationibus quorundam episcoporum, de quibus ad quem specialiter pertinerent, certum minime constabat. Et tandem aliquando diversis diversarum causarum autoritatibus probatum atque ostensum est, quod Eboracensis ecclesia Cantuariensi ecclesiæ debeat subjacere: ejusque archiepiscopi, ut primatis totius Britannię, dispositionibus, in iis quæ ad Christianam religionem pertinent, in omnibus obedire. Subjectionem vero Dunelmensis, hoc est Lindiffarnensis episcopi, et omnium regionum a terminis Licefeldensis episcopi, et Humbræ magni fluvii, usque ad extremos fines Scotiæ, et quicquid ex hac parte prædicti fluminis ad parochiam Eboracensis ecclesiæ jure competit, Cantuariensis Metropolitanus, Eboracensi archiepiscopo ejusque successoribus in perpetuum obtinere concessit: ita ut si Cantuariensis archiepiscopus concilium cogere voluerit, ubicunque ei visum fuerit, Eboracensis archiepiscopus sui presentiam cum omnibus sibi subjectis episcopis ad nutum ejus exhibeat, et ejus canonicis dispositionibus obediens existat. Quod autem Eboracensis archiepiscopus professionem archiepiscopo Cantuariensi facere etiam cum sacramento debeat, Lanfrancus Dorobernensis archiepiscopus ex antiqua antecessorum consuetudine ostendit, sed ob amorem regis Thomæ Eboracensi archiepiscopo sacramentum relaxavit, scriptamque tantum professionem recepit, non prejudicans successoribus suis, qui sacramentum cum professione a successoribus Thomæ exigere voluerint. Si archiepiscopus Cantuariensis vitam finierit, Eboracensis archiepiscopus Doroberniam veniet, et eum qui electus fuerit, cum cæteris præfatæ Ecclesiæ episcopis, ut primatem proprium jure consecrabit. Quod si archiepiscopus Eboracensis obierit, is qui ei successurus eligitur, accepto a rege archiepiscopatus dono, Cantuariam, vel ubi Cantuariensi archiepiscopo visum fuerit, accedet, et ab ipso ordinationem canonico more suscipiet.

VI.

Charta Regis Willielmi Primi, quæ secernit Placita Ecclesiastica a Causis Civilibus.

Spelman.
Concil.
vol. 2. fol. 14.
Selden. Not.
ad Eadmer.
p. 167.
A.D. 1086.

Willielmus Dei gratia Rex Anglorum, R. Bainardo, et G. de Magnavilla, et P. de Valoines cæterisque meis fidelibus de Essex, et Hertfordshire, et de Middlesex, salutem. Sciatis vos omnes et cæteri fideles mei, qui in Anglia manent, quod episcopales leges, quæ non bene, nec secundum sanctorum canonum præcepta, usque ad mea tempora in regno Anglorum, fuerint, communi consilio, et consilio archiepiscoporum, et episcoporum, et abbatum, et omnium principum regni mei, emendandas judicavi; propterea mando, et regia autoritate præcipio, ut nullus episcopus vel archidiaconus, de legibus episcopalibus amplius in Hundret, placita teneant: nec causam quæ ad regimen animarum pertinet, ad iudicium secularium hominum adducant, sed quicumque secundum leges episcopales de quacunque causa vel culpa interpellatus fuerit, ad locum quem ad hoc episcopus elegerit, et nominaverit, veniat; ibique de causa vel culpa sua respondeat, et non secundum Hundret, sed secundum canones, et episcopales leges, et rectum Deo et episcopo suo faciat: si vero aliquis per superbiam elatus, ad justitiam episcopalem venire contempserit, et noluerit, vocetur semel, et secundo, et tertio. Quod si nec sic ad emendationem venerit, excommunicetur; et si opus fuerit, ad hoc vindicandum fortitudo, et justitia regis, vel vice-comitis, adhibeatur: ille autem qui vocatus ad justitiam episcopi venire noluerit, pro unaquaque vocatione legem episcopalem emendabit: hoc etiam defendo, et mea autoritate interdico, ne ullus vicecomes, aut præpositus seu minister regis, nec aliquis laicus homo, de legibus quæ ad episcopum pertinent, se intromittat. Nec aliquis laicus homo alium hominem, sine justitia episcopi ad iudicium adducat. Iudicium vero in nullo loco portetur, nisi in episcopali sede, aut in alio loco quem episcopus ad hoc construeret.

VII.

Charta Willielmi Regis Primi de Restitutione ablatorum in Episcopatibus et Abbatibus totius Angliæ.

In the Appendix to
Somner's
Gavelkind,
p. 191.
712.

Willielmus Dei gratia Rex Anglorum, L. Archiepiscopo Cantuar. et G. episcopo Constantiarum, et R. comiti de Ou et

R. filio comiti Gil. et H. de Monte Forti, suisque aliis proceribus regni Angliæ, salutem. Summonete vicecomites meos ex meo præcepto, et ex parte mea eis dicite, ut reddant episcopatibus meis et abbatibus totum dominium omnesque dominicas terras quas de dominio episcopatum meorum et abbatiarum, episcopi mei et abbates eis, vel lenitate, vel timore, vel cupiditate dederunt, vel habere consenserunt, vel ipsi violentia sua inde abstraxerunt, et quod hactenus injuste possederunt de dominio ecclesiarum mearum; et nisi reddiderint, sicut eos ex parte mea summonebitis, vos, ipsos velint nolint, constringite reddere. Quod si quilibet alius vel aliquis vestrum quibus hanc justitiam imposui ejusdem querelæ fuerit, reddat similiter quod de dominio episcopatum vel abbatiarum mearum habuit; ne propter illud quod inde aliquis vestrum habebit, minus exerceat super meos vice-comites, vel alios quicumque teneant dominium ecclesiarum mearum quod præcipio.

VIII.

Willielmus Anglorum Rex, omnibus fidelibus suis et vice-comitibus in quorum vicecomitatibus abbatia de Heli terras habet, salutem. Præcipio ut abbatia habeat omnes consuetudines suas, scilicet, saccham et socham, toll et team, et infanganetheof, hamsocna, et grithbrice, fithwite, ferdwite, infra burgum et extra, et omnes alias forisfacturas quæ emendabiles sunt in terra sua super suos homines: has inquam habeat sicut habuit die qua rex Edwardus fuit vivus et mortuus, et sicut mea jussione dirationatæ sunt apud Keneteford per plures Sciras ante meos barones, viz., Galfridum, Constantiensem episcopum, et Baldewinum abbatem, et abbatem Æilsi, et Wifwoldum abbatem, et Ivonem Taillebois, et Petrum de Valoniis, et Picotum vicecomitem, et Tehelum de Helium, et Hugonem de Hosdeng, et Gocelinum de Norwico, et plures alios. Teste Rogero Bigot.

Historia
Ellen. penes
Doctorem,
Gale, p. 87.

IX.

The Conqueror's Charter to St. Paul's.

Willielmus gratia Dei Rex Anglorum, omnibus fidelibus suis Francis et Anglis, salutem. Sciat is quod ego concedo Deo et ecclesiæ St. Pauli de London, et rectoribus, et servitoribus

Cart. 9.
E. 2. N. 37.
per Inspex.
Et par.
1 H. 5.
4 M. 3.
per Inspex.

Dugdale's
History of
St. Paul's
Cathedral,
p. 190.

ejus in omnibus terris quas ipsa ecclesia habet vel habebit infra burgum et extra, saccham et soknam, et thol, et theam, et infanganatheop girthbriche, "and ealle freoshipes, by strand and by land, on tyde and of tyde, and alle the right that into tham Christendom byrath, on morth sprake, and on unright-hamed, and on unright-work of all that biscopriche on mine land, and on eich othre mannes land." Quare volo ut ipsa ecclesia ita libera sit in omnibus sicut volo esse meam animam in die judicii; testibus Osmundo cancellario, Lanfranco archiepiscopo Cantuariæ, et Thoma Ebor. archiep. et Rogero comite Saropesberix, et Alano comite, et Gaufrido de Magna Villa, et Ranulpho Peverell.

X.

Stow,
F. 535.

William, king, greeteth William, bishop, and Godfrey Portgrave, and all the burgesses within London, French and English: and I grant that they be all law-worthy, as they were in Edward's days, the king: and I will that each child be his father's heir, and I will not suffer that any man do you wrong. And God you keep.

(The original is Saxon.)

XI.

The Conqueror's Charter to Battle-Abbey.

Selden. Not.
ad Eadmar,
fol. 165. ex
Biblioth.
Cotton.
A.D. 1806.

Willielmus Dei gratia Rex Anglorum, tam clericis, quam laicis per Angliam constitutis, salutem. Notum sit vobis, me concessisse et confirmasse, assensu Lanfranci archiepiscopi Cantuariensis, et Stigandi episcopi Cicestrensis, et concilio etiam episcoporum ac baronum meorum, ut ecclesia sancti Martini de Bello quam fundavi ex voto ob victoriam quam mihi Deus in eodem loco contulit, libera sit et quieta in perpetuum ab omni servitute, et omnibus quæcunque humana mens excogitare possit, cum omnibus dignitatibus et consuetudinibus regalibus, quas ei regali autoritate concessi, sicut chartæ meæ testantur. Volo itaque et firmiter præcipio, quatenus ecclesia illa, cum Leuga circumquaque adjacente, libera sit ab omni dominatione, et oppressione episcoporum, sicut illa quæ mihi coronam tribuit, et per quam viget decus nostri regiminis. Nec liceat episcopo Cicestrensi, quamvis in illius diocesi sit, in ecclesia illa, vel in maneriis ad eam pertinenti-

bus, ex consuetudine hospitari contra voluntatem abbatis, nec ordinationes aliquas ibidem facere, nec abbatiam in aliquo gravare, sed neque super illam dominationem aliquam, aut vim, vel potestatem exerceat, sed sicut dominica mea capella, libera sit omnino ab omni exactione. Ad synodum vero abbas ire non summoneatur, nec compellatur nisi propria voluntate pro aliquo negotio ire voluerit. Nec monachos suos, ubi sibi opportunius viderit ad sacros ordines promoveri facere prohibeatur. Nec altarium sacrationes, confirmationes, vel quaslibet episcopales benedictiones abbatis vel monachorum requisitione a quolibet episcopo ibidem libere fieri ab aliquo contradicatur: hoc etiam regali autoritate, et episcoporum, et baronum meorum attestacione constituto, quatenus abbas ecclesiæ suæ, et Leugæ circumjacentis, per omnia iudex sit, et dominus. Defuncto abbate, de eadem ecclesia abbas eligatur, nisi forte et quod absit ibidem, idonea persona reperiri non possit. Hanc constitutionem meam, sic voto et regali autoritate confirmatam, nullus successorum meorum violare, vel imminuere præsumat. Quicumque igitur contra libertates, vel dignitates ejusdem ecclesiæ fecerit, forisfacturæ regiæ coronæ subiaceat. Hujus rei testes sunt Lanfrancus archiepiscopus Cantuariensis, Stigandus Cicestriensis episcopus, Walkelinus episcopus Winton. Wulstanus Wigorn. episcopus; qui omnes, me presente et audiente, horum preceptorum meorum et constitutionum violatores perpetuo anathemate damnaverunt. Apud Winton.

713.

XII.

Excellentissimo sanctæ ecclesiæ pastori Gregorio, gratia Dei Anglorum Rex, et Dux Normannorum Willielmus, salutem cum amicitia. Hubertus legatus tuus, religiose pater, ad me veniens, ex tua parte me admonuit, quatenus tibi et successoribus tuis fidelitatem facerem, et de pecunia quam antecessores mei ad Romanam Ecclesiam mittere solebant melius cogitarem. "Unum admisi, alterum non admisi;" fidelitatem facere nolui, nec volo; quia nec ego promisi, nec antecessores meos antecessoribus tuis id fecisse comperio: pecunia tribus ferme annis in Galliis me agente, negligenter collecta est. Nunc vere Divina misericordia me in regnum meum reverso, quod collectum est per præfatum legatum mittitur: et quod reliquum est, per legatos Lanfranci archiepiscopi fidelis nostri,

Selden. Not.
in Eadmer.
fol. 164.

Baron. An-
nal. tom. 11.
N. 22. ad
A. D. 1079.

cum opportunum fuerit, transmittetur. Orate pro nobis, et pro statu regni nostri, quia antecessores vestros dileximus, et vos præ omnibus sincere diligere, et obedienter audire desideramus.

XIII.

Eadmer.
Hist. Novor.
p. 12.

Lanfrancus gratia Dei Archiepiscopus dilectissimo fratri Stigandi Cicestrensi episcopo, salutem. Clerici villarum nostrarum qui in vestra dioecesi existunt quæsti nobis sunt quod vestri archidiaconi, repertis occasionibus, pecunias ab iis exquirunt, et a quibusdam jam acceperunt. Meminisse debet fraternitas vestra quia contra morem antecessorum nostrorum et vestrorum vobis concessimus, eisque imperavimus quatenus ad vestras synodos irent, et ea quæ ad Christianæ religionis notitiam prodesse possunt, sine interpellatione vel discussione aliqua, a vobis audirent. Si quæ in ipsis culpæ invenirentur, suspensa interim vindicta, ad nostrum examen servarentur, et nobis vel in miserando, vel in ulciscendo, sicut semper consuetudo fuit, obnoxii tenerentur. Mandamus itaque vobis ut male accepta sine dilatione reddi jubeatis, et ministris vestris ne ulterius id presumant, servandæ charitatis studio prohibeatis. Nos vero presbyteris nostris qui extra Cantiam constituti sunt omnino præcipimus ne ad vestram vel alicujus episcopi synodum amplius eant, nec vobis nec aliquibus ministris vestris pro qualibet culpa respondeant. Nos enim cum ad villas nostras venerimus, quales ipsi vel in moribus vel in sui ordinis scientia sint, pastoralis autoritate vestigare debemus. Chrysma tamen a vobis accipiant, et ea quæ antiquitus instituta sunt in chris-matis acceptione persolvant. Sicut namque ea quæ antiquitus usque ad nostra tempora antecessores nostri habuerunt, solerti vigilantia cupimus illibata custodire, ita aliis debita, aliqua quod absit usurpatione denegare nolumus.

XIV.

King Henry I.'s Letter to invite Anselm into England to his Archbishopric.

Anselm.
l. 3. Epis-
tolarum,
Epist. 41.
A.D. 1100.

Henricus Dei gratia Rex Anglorum, piissimo patri suo spirituali Anselmo Cantuariensi episcopo, salutem, et omnis amicitie exhibitionem.

Scias, pater charissime, quod frater meus rex Gulielmus

mortuus est: et ego, nutu Dei et clero et populo Angliæ electus. Et quamvis invitus propter absentiam tui rex jam consecratus, requiro te, sicut patrem, cum omni populo Angliæ; quatenus mihi filio tuo, et eidem populo cujus tibi animarum cura commissa est; quam citius poteris venias ad consulendum. Meipsum quidem ac totius regni Angliæ populum tuo, eorumque concilio qui tecum mihi consulere debent, committo. Et precor ne displiceat tibi quod regiam benedictionem absque te suscepi: de quo si fieri possit, lubentius eam susceperem, quam de aliquo alio. Sed necessitas talis fuit quia inimici insurgere volebant contra me, et populum quem habeo ad gubernandum. Et ideo barones mei et idem populus noluerunt amplius eam protelari. Hac itaque occasione a tuis vicariis illam accepi. Missem quidem ad te a meo latere aliquos; per quos tibi etiam de mea pecunia destinassem, sed per mortem fratris mei, circa regnum Angliæ, ita totus orbis concussus est, ut nullatenus ad te salubriter pervenire potuissent. Laudo ergo et mando ne per Normanniam venias, sed per Guitsand, et ego Doveram obviam habebo tibi barones meos, et pecuniam, ad te recipiendum: et invenies, Deo juvante, unde bene persolvere poteris quicquid mutuo accepisti. Festina ergo pater venire, ne mater nostra Cantuariensis ecclesia, diu fluctuans et desolata, causa tui, amplius sustineat animarum detrimenta.

Teste Girardo episcopo, et Gulielmo Wintoniensi electo episcopo, et Gulielmo de Warelimest, et comite Henrico, et Roberto filio Haimonis, et Halmone Dapifero, et aliis tam episcopis, quam baronibus meis. Vale.

714.

XV.

*A Letter of several English Bishops to Archbishop Anselm,
in Normandy.*

Patri dilectissimo Anselmo Cantuariensi archiepiscopo, Gerardus Eboracensis Archiepiscopus, et Robertus Cestrensis, et Herbertus Norwicensis, et Radulphus Cicestrensis, et Sampson Wigorniensis Episcopi, et Willielmus Wintoniensis electus, salutem. Sustinuimus pacem, et ipsa longius recessit; quæsiuimus bona, et invaluit turbatio. Viæ Sion lugent quia eas conculcant incircumcisi. Templum mœret quia intra

Eadmer.
Hist. Nov.
lib. 4. p. 84.
A.D. 1105.

sancta sanctorum, et ad ipsam aram irruerunt laici. Exsurge ut olim senex ille Mattathias. Habes in filiis tuis virtutem Judæ, strenuitatem Jonathæ, prudentiam Simonis. Hi tecum præliabuntur prælium Domini, et si ante nos appositus fueris ad patres tuos, de manu tua suscipiemus hæreditatem laboris tui. Sed jam non est tibi pigritandum. Ut quid enim peregrinarius, et oves tuæ sine pastore pereunt? Jam apud Deum nulla tibi remanet excusatio: te enim non solum subsequi, sed et præire, si jusseris, parati sumus. Veni ergo ad nos, veni cito, vel nos, aut ex nobis aliquos ad te venire jube. Ne dum sejuncti a te sumus, in sinistram te partem inclinant eorum consilia qui sua quæerunt. Nos enim jam, in hac causa, non quæ nostra, sed quæ Dei sunt quærimus.

XVI.

King Henry's Letter to acquaint Anselm with his Victory in Normandy.

Eadmer.
Hist. Nov.
lib. 4. p. 90.
A.D. 1106.

Henricus Rex Anglorum Anselmo Cantuariensi archiepiscopo, salutem et amicitiam. Paternitati et sanctitati vestræ significamus Robertum comitem Normanniæ, cum omnibus copiis militum et peditum quos prece et pretio adunare potuit, die nominata et determinata, mecum ante Tenerchebraium acriter pugnasse, et tandem sub misericordia Dei vicimus, et sine multa cæde nostrorum. Quid plura? Divina misericordia ducem Normanniæ, et comitem Moritonii, et Willielmum Crispinum, et Willielmum de Ferreris, et Robertum de Stutvile senem, et alios usque ad quadringentos milites, et decem millia peditum in manus nostras et Normanniam dedit. De illis autem quos gladius peremit, non est numerus. Hoc autem, non elationi vel arrogantiae nec viribus meis tribuo, sed dono divinæ dispositionis attribuo. Quocirca, pater reverende, supplex et devotus genibus tuæ sanctitatis advolutus, te deprecor, ut supernum judicem, cujus arbitrio et voluntate triumphus iste tam gloriosus et utilis mihi contigit, depreceris, ut non sit mihi ad damnum et detrimentum, sed ad initium bonorum operum et servitii Dei, et sanctæ Dei ecclesiæ statum tranquilla pace tenendum et corroborandum, ut amodo libera vivat, et nulla concutiatur tempestate bellorum.

XVII.

The Pope's Letter to Anselm, in which he dispenses, with respect to Benefices, in the Case of the Sons of Priests.

Paschalis Episcopus, servus servorum Dei, venerabili fratri Anselmo Cantuariensi episcopo, salutem, et Apostolicam benedictionem. De presbyterorum filiis quid in Romana Ecclesia constitutum sit fraternitatem tuam nescire non credimus. Cæterum quia in Anglorum regno tanta hujusmodi plenitudo est, ut major pene et melior clericorum pars in hac specie censeatur, nos dispensationem hanc sollicitudini tuæ committimus. Eos enim quos scientia et vita commendat apud vos, ad sacra officia promoveri, pro necessitate temporis, et utilitate ecclesiæ concedimus; ut imposterum, constitutionis ecclesiasticæ præjudicium caveatur. Cætera etiam quæ in regno illo pro necessitate temporis dispensanda sunt, juxta gentis barbariem, juxta ecclesiæ opportunitates, sapientiæ ac religionis tuæ sollicitudo dispenset. Data 111. Kal. Junii.

Eadmer.
Hist. Nov.
lib. 4. p. 91.
A.D. 1107.

715.

XVIII.

Queen Maud's Letter to Anselm.

Domino suo et patri reverendo. pariter et colendo, Anselmo Cantuariensi Archiepiscopo, Mathildis Regina devota sanctitatis ejus ancilla cum Christo suo, salutem.

Quoties epistolari beneficio vestræ mihi sanctitatis municipium impartitis, toties innovatæ letitiæ luce nebulosam animæ meæ caliginem serenatis. Est etenim vestri quædam et absentis qualiscunque revisio, et chartulæ contrectatus et literæ per jucunda sæpiusque recitata relectio. Quidnamque vestris, Domine, scriptis, aut stilo ornatius, aut sensu refertius? Non his desunt Frontonica gravitas Ciceronis, Demosthenis, aut Quintiliani. In his sane doctrina quidem redundat Pauli, diligentia Hieronymi, illucubratio Gregorii, explanatio Augustini; et quod his majus est, hinc dulcor Evangelici stillat eloquii. Hac igitur mihi gratia diffusa a labiis vestris cor meum, et caro mea exultaverunt in affectum vestræ dilectionis, in effectumque paternæ vestræ monitionis. Frequentissimo quippe recursum exhortationis vestræ, benignissimæque obsecrationis memoria cordis meæ januam reverberat. Vestræ igitur sanc-

Anselm.
Epistol-
rum L. 3.
epist. 119.
A.D. 1107.

titatis favore freta, domino Ernulpho, Wintoniensi monacho, olimque sacristæ, vobis credo, noto, abbatiam Malmesberiæ in his quæ mei juris erant, commisi: vestræ quidem donationi et dispositioni, quæcunque illius sunt, ex integro reservatis. Ut scilicet, tam virgæ quam curæ pastoralis commisso, vestræ discretionis contradatur arbitrio, &c.

XIX.

Alexander, King of Scotland's Letter to Ralph, Archbishop of Canterbury.

Eadmer.
Hist. Nov.
1 b. 5. p. 117.

Domino et patri charissimo Radulpho venerabili Cantuariensi archiepiscopo, Alexander Dei misericordia Rex Scotorum, salutem, et devotæ fidelitatis obsequium. Notificamus vobis, benignissime pater, quod episcopus ecclesiæ Sancti Andreæ Apostoli, dominus videlicet Turgodus II. Kal. Septemb. migravit a sæculo. Unde valde contristamur tanto solatio destituti; requirimus ergo vestrum consilium et auxilium sicut confidimus in vobis, ut secundum Deum talem substituere valeamus, qui nos et gentem nostram per Deo placitam conversationem, regere et docere utiliter sciat: petimus etiam ut recordari dignemini, quid vobis jam quadam vice suggessimus de episcopis ecclesiæ St. Andreæ; quod in antiquis temporibus non solebant consecrari, nisi ab ipso Romano pontifice, vel ab archiepiscopo Cantuariensi; hocque tenuimus, et per successiones temporum ex auctoritate ratum habuimus, quousque dominus Lanfranc archiepiscopus, nescimus quo pacto, absentibus nobis et nostris, Thomæ Eboraci archiepiscopo illud ad tempus relaxaverat. Quod omnino vestra, si placet, auctoritate suffulti, ut amplius sic remaneat, non concedimus. Nunc igitur, si ad id nobis, nostræque ecclesiæ reparandum vestrum adjutorium sperare debemus, quod humillimis votis desideramus et petimus, secreto nobis certitudinem dignis vestris apicibus remandare curate. Valete.

XX.

William, Archbishop of Canterbury's Summons to Urban, Bishop of Landaff.

Spelman.
Concil.
vol. ii. p. 33.

Willielmus Cantuariensis Archiepiscopus urbano Landavensi episcopo salutem. Literis istis tibi notum facere volumus

quod Joannes Ecclesiæ Romanæ presbyter cardinalis atque legatus, * ordinatione nostraque conniventia, consilium celebrare disposuit Lundeniæ in nativitate Beatæ semper Virginis Mariæ.

Propterea præcipimus ut in præfato termino in eodem loco nobis occurras, cum archidiaconibus, et abbatibus, et prioribus tuæ diocæsis, ad definiendum super negotiis ecclesiasticis, et ad informandum seu corrigendum, quæ informanda vel docenda, seu corrigenda docuerit sententia convocationis nostræ.

XXI.

King Stephen's Charter to the Church.

Ego Stephanus Dei gratia, et assensu cleri et populi in regem Angliæ electus, et a domino Willielmo archiepiscopo Canturiæ, et sanctæ Ecclesiæ Romanæ legato consecratus, et ab Innocentio sanctæ sedis Romanæ pontifice postmodum confirmatus, respectu et amore Dei sanctam Ecclesiam liberam esse concedo, et debitam reverentiam illi confirmo. Nihil me in Ecclesia, vel in rebus ecclesiasticis simoniace acturum vel permissurum esse promitto. Ecclesiasticarum personarum et omnium clericorum, et rerum eorum justitiam, et potestatem, et distributionem bonorum ecclesiasticorum in manu episcoporum esse perhibeo, et confirmo. Dignitates ecclesiarum, privilegiis earum confirmatas, et consuetudines earum antiquo tempore habitas, inviolate manere concedo, et statuo. Omnes ecclesiarum possessiones et tenuras quas die illa habuerant, qua Willielmus rex avus meus fuit vivus et mortuus, sine omnium calumniantium reclamazione eis liberas et absolutas esse concedo. Si quid vero de habitis aut possessis ante mortem regis quibus modo careat Ecclesia deinceps repetierit indulgentiæ et dispensationi mee, vel discutiendum vel restituendum reservo. Quæcunque vero post mortem regis, liberalitate regum; largitione principum, oblatione vel comparatione, vel quacunque transmutatione fidelium, collata sunt, confirmo. Pacem me et justitiam in omnibus facturam, et pro posse meo conservaturum promitto.

Forestas, quas Willielmus rex avus meus, et Willielmus secundus avunculus meus, instituerunt et tenuerunt, mihi reservo. Cæteras omnes quas Henricus rex superaddidit, ecclesiis et regno quietas reddo, et concedo. Si quis autem episcopus, vel abbas, vel alia ecclesiastica persona, ante mortem

*Legis ordinatione, in Apogr. lib. Landavens. penes Episc. Norwicens.

Malmabur. Hist. Novel. lib. 1. fol. 101. 716.

Historia Ricardi Prioris Hagulstædensis, de Gest. Reg. Stephan. inter Decem Script. cap. 314.

suam rationabiliter sua distribuerit, vel distribuenda statuerit, firmum manere concedo.

Si vero morte præoccupatus fuerit pro salute animæ ejus Ecclesiæ consilio eadem fiat distributio. Dum vero sedes fuerint propriis pastoribus vacuæ, et ipsæ et omnes earum possessiones in manu et custodia clericorum, vel proborum hominum ejusdem Ecclesiæ committantur donec pastor canonice substituat. Omnes exactiones et mescheningas et injustitias sive per vicecomites, vel per alios quoslibet, male inductas, funditus extirpo. Bonas leges, et antiquas, et justas consuetudines in murdris et placitis, et aliis causis observabo, et observari præcipio, et constituo. Apud Oxenford anno incarnationis Domini 1136, regni mei primo.

XXII.

King Henry II.'s Confirmation of the Charter of Privileges, &c. granted by King Henry I.

Spelman.
Concil.
vol. 2. p. 51.

Henricus Dei gratia Rex Angliæ, Dux Normanniæ et Aquitaniæ, Comes Andegaviæ, baronibus et fidelibus suis Francis et Anglis salutem. Sciatis me ad honorem Dei et sanctæ Ecclesiæ, et pro communi emendatione totius regni mei, concessisse et reddidisse, et presenti charta mea confirmasse Deo et sanctæ Ecclesiæ, et omnibus comitibus et baronibus, et omnibus hominibus meis, omnes consuetudines quas rex Henricus avus meus eis dedit et concessit. Similiter etiam omnes malas consuetudines quas ipse delevit et remisit, ego remitto, et deleri concedo, pro me et hæredibus meis. Quare volo, et firmiter præcipio, quod sancta Ecclesia et omnes comites et barones, et omnes mei homines, omnes illas consuetudines, et donationes, et libertates, et liberas consuetudines habeant et teneant libere et quiete, bene et in pace et integre de me et hæredibus meis, sibi et hæredibus suis, adeo libere et quiete et plenarie in omnibus, sicut rex Henricus avus meus eis dedit et concessit, et charta sua confirmavit. Teste Ricardo de Luci.

XXIII.

Has literas misit Henricus Rex Angliæ singulis Vice-comitibus Angliæ in principio persecutionis Beatæ Thomæ.

Quadrilog.
lib. 4.
A.D. 1166.

Præcipio tibi quod si aliquis clericus vel laicus bailliva tua Romanam Curiam appellaverit, eum capias, et firmiter custodias, donec voluntatem meam percipias; et omnes redditus et

possessiones archiepiscopi Saisias in manum meam, sic ut Radulphus de Brock, et alii ministri mei tibi dixerint; et omnium clericorum qui cum archiepiscopo sunt, patres et matres, fratres et sorores, nepotes et neptes, ponas per salvos plegios, et catalla eorum, donec voluntatem meam inde percipias, et hoc breve tecum afferas cum summonitus fueris.

XXIV.

717.

King Henry II.'s Expostulatory Letter to the Pope upon the Difference between his Highness and the Archbishop of Canterbury.

Alexandro Papæ Henricus Dei gratia Anglorum Rex, Dux Northmannorum et Aquitanorum, et Comes Andegavorum.

Ex Turri
Londinensi.
Fœdera,
Conven-
tiones, Li-
teræ, &c.
tom. I. p. 28.
A.D. 1169.

Sæpius nuncios nostros ad pedes paternitatis vestræ direximus, rogantes, et supplicantes, quatenus querelis, quæ inter nos et Cantuariensem archiepiscopum vertuntur, finem debitum justitia mediante poneretis: et tandem placuit paternitati vestræ ut, juxta petitionem nostram, de latere legatos nobis mitteretis cum potestatis plenitudine, ut omnes controversias nostras plene decidere et definire possent, remoto appellationis obstaculo. Qui cum in potestate sicut nuncii vestri ad nos reportaverunt, et literis vestris continebatur expressum, quas adhuc penes nos habemus, quod missi fuissent, sicut per eosdem legatos cum ad nos pervenissent accepimus, potestas illa, ad injuriam nostram, illis subtracta est. Unde, cum nos ad omnem coram eis emendationem offerimus præfato Cantuariensi archiepiscopo, qui ita inique et malitiose erga me se habet, sicut vobis et toti mundo innotuit, coram illis justiciis parere omnino contempsit.

Ob cujus delictum alios deinceps nuncios ad majestatem vestram transmisimus, per quos literas vestras recepimus, quas adhuc penes nos habemus, in quibus terram nostram et personas regni nostri a potestate præfati Cantuariensis eximebatis, donec ipse in gratiam nostram rediisset. Quam tamen, ante restitutionem gratiæ nostræ, nescimus ob quam causam, immutaveritis, dum alii nostri adhuc in cura nostra morarentur: et antequam novissimi legati vestri pervenissent, Vivianus, scilicet et Gratianus, ipse in personas regni nostri et in quosdam familiares et servientes nostros, qui singulis diebus nobis assistebant, excommunicationis sententiam promulgavit.

Cum vero prænominatos nuncios debito honore suscepisse-

mus, qui tam per literas vestras, quam viva voce protestabantur, quod ad honorem nostrum et exaltationem regni nostri venissent, primo loco de absolvendis excommunicatis tractavimus (qui non solum ad nostram, verum etiam ad vestram eorundem legatorum injuriam excommunicati videbantur) petitionibus illis, quas ex parte nostra nobis proponebant, quantum poteramus, ob reverentiam vestram, et amorem vestrum pro assensu condescendebamus.

Proponebant siquidem literæ vestræ quatenus sæpe dicto Cantuariensi archiepiscopatum suum, pacem et amorem nostrum redderemus : nos vero, proposito omnino honore vestro, communicato consilio

Burdegalensis, et	}	Archiepiscoporum,	
Rothomagensis,			
Cenomanensis,	}	Episcoporum,	
Redonensis,			
Bajocensis,			
Lexoviensis,			
Constantiensis, et			
Sagiensis,			
Fiscavensis,	}	et quorundam aliorum Abbatum,	
Beccensis,			
Sancti Wandregesili,			
Cadomensis,			
Troactis,			
Cerifiaci,			
Rewalles,			
Mortui Maris,			
Tironensis,	}		
Delbetensis,			

Nec non et Gaufredi Antisiodorensis, et quorundam aliorum virorum religiosorum, concessimus antedicto Cantuariensi (licet ipsi sicut vobis multotiens significavimus ; absque conscientia nostra et coactione aliqua a regno nostro exierit) ut in honore et in pace redieret, et possessiones omnes haberet, sicut habuit quando a regno exivit, et ipse et omnes qui cum eo vel pro eo exierunt, ob amorem Dei et ob amorem vestrum salva dignitate regni nostri.

Cumque nuncii vestri, coram supra nominatis viris, respon-

sum hoc absque omni contradictione recepissent, excommunicatos illos, qui presentes aderant, absolverunt.

Convenit autem inter nos, ut alter eorum, Vivianus scilicet, pro hiis qui in Anglia erant absolvendis transfretaret: Gratianus vero ad verba hæc nominato Cantuariensi transportanda redieret. Mane autem facto cum ab eis, quibusdam negotiis nos (accepta prius ab eis licentia) trahentibus, recessissemus, nescimus, cujus instinctu, aut quo spiritu concessis stare recusserunt; causantes verbum illud quo nos dignitatem regni nostri salvam fore dixeramus, quod tam nobis, quam illis qui nobiscum aderant, nullo jure ab eis causari videbatur debere.

Nos autem hujus rei ad conscientiam duximus, et vestra semper discretionem præsumentes, quod vos in nullo honori nostro derogare velitis, vel regni nostri dignitati, obnixè serenitati vestræ supplicantes, quatenus attente considerantes honorem et utilitatem, quam vobis et curiæ vestræ contulimus, et in futurum, nisi per vos steterit, conferimus, sic rem temperetis ne tantum penes vos sint istius perfidi proditoris nostri malitiæ blanditiæ, quantum evidentia, tot et tantorum virorum testimoniis corroborata, causæ nostræ merita; sed juxta petitionem nostram eos, qui excommunicati sunt, absolvatis, et ne in alios venenum suæ excommunicationis effundere possit, provideatis: ne si minus in hac justa petitione nostra exauditi fuerimus, tanquam de vestra benevolentia desperantes, aliter securitati nostræ et honori prospicere compellamur.

Et quoniam singula quæ a nobis dicta sunt et proposita, difficile scripto comprehenderentur, transmisimus ad pedes paternitatis vestræ clericos familiares nostros, Ricardum archidiaconum de Salesberia, Ricardum Barre, qui plenius vobis cuncta, quæ hinc inde agitata sunt, exponent; quibus in cunctis, quæ ex nostra parte, vestræ sanctitati exponent, fidem indubitanter habeatis; de quorum reditu festinanter maturando vestra precamur et consulimus sollicitè provideat discretio; quoniam eorum mora diuturnior periculum et damnum intolerabile Ecclesiæ posset afferre.

XXV.

King Henry II.'s Letter to his Son King Henry, to signify the Agreement between him and Archbishop Becket, &c.

Henricus Rex Angliæ, et Dux Normanniæ et Aquitanie, et Comes Andagaviæ, carissimo filio salutem: sciatis quod

Chronic.
Gervas. Col.
1413.
A.D. 1170.

Thomas Cantuariensis pacem mecum fecit ad voluntatem meam, et ideo præcipio quod ipse et sui pacem habeant, et faciatis habere ei et suis qui pro eo exierunt ab Anglia res suas bene et in pace et honorifice sicut habuerunt tribus mensibus antequam ipse archiepiscopus recessisset ab Anglia: et faciatis venire coram vobis de antiquioribus et legalioribus militibus de honore de Saltwde, et eorum sacramento faciatis recognosci quid ibi habeatur de feodo archiepisc. Canturiæ. Et quod recognitum fuerit de feodo ejus esse, ipsi archiepiscopo habere faciatis. Teste Rotrodo Rothomagensi archiepiscopo apud Chinum.

XXVI.

*Pope Alexander's Bull for the Canonization of
Archbishop Becket.*

Alexander Papa, venerabilibus fratribus, archiepiscopis, episcopis, et dilectis filiis aliis ecclesiarum prælatis, et universo clero et populo per Angliam constituto, salutem, et Apostolicam benedictionem. Redolet Anglia fragrantia et virtute signorum quæ per merita illius sancti et reverendi viri Thomæ quondam Cantuariensis archiepiscopi, omnipotens Dominus operatur; et universa ubique lætatur Christiana religio pro eo, quod ille qui est mirabilis et gloriosus in sanctis sanctum suum post mortem glorificavit. Cujus vita laudabilis multa fulsit gloria meritorum et tandem martyrio consummata est certaminis gloriosi. Quamvis autem dubitare de sanctitate ejus non possit, qui ejus vitam et conversationem laudabilem attendit, et gloriosam considerat passionem, voluit tamen Salvator et Redemptor noster ejus sanctitatis insignia, magnificis post mortem suam irradiare miraculis, ut qui pro Christo insuperabilis virtutis constantia necessitates et pericula pertulit, sui laboris et certaminis in æterna beatitudine cognoscatur ab omnibus percepisse triumphum. Nos auditis innumeris et magnis miraculis quæ jugiter per illius merita universitas narrat fidelium, et super his, non sine magno gaudio, per dilectos fratres nostros Albertum tituli sancti Laurentii in Lucina, et Theodinum sancti Vitalis presbyteros cardinales, et Apostolicæ sedis legatos, qui eadem miracula tanto perspicacius didicerunt, quanto amplius loco sunt vicini, præcipue certiores effecti, et plurium aliarum testimonio personarum fidem, sicut

debuimus, adhibentes, prædictum archiepiscopum solemniter in Ecclesia, magno ibidem clericorum et laicorum collegio presente, in capite jejunii, de liberato fratrum nostrorum consilio, canonizavimus, ipsumque decrevimus sanctorum catalogo ascribendum. Universitatem itaque vestram monemus, et auctoritate qua fungimur districte præcipimus, ut natalem prædicti gloriosi martyris die passionis ejus solenniter sub annis singulis celebretis, et apud eum votivis orationibus sategatis veniam peccatorum promereri; ut qui pro Christo in vita exilium, et morte virtutis constantia, passionis martyrium pertulit, fidelium jugi supplicatione pulsatus, pro nobis apud Deum intercedat. Dat' Signiæ III. Idus Martii.

XXVII.

719.

Geoffrey Elect of Lincoln's Resignation of his See into the hands of the Archbishop of Canterbury.

Venerabili patri et domino Ricardo Dei gratia Cantuariensi archiepiscopo, Apostolicæ sedis legato, Gaufridus domini regis Angliæ Filius et Cancellarius, salutem, et reverentiam debitam ac devotam. Placuit majestati Apostolicæ vestræ injungere sanctitate, ut me certo tempore vocaretis ad suscipiendum ordinem sacerdotis, et pontificalis officii dignitatem. Ego vero considerans quamplures episcopos maturiores, ac provectiores prudentia et ætate, vix tantæ administrationi sufficere, nec sine periculo animarum sui officium pontificatus ad perfectum explere; veritus sum onus importabile senioribus, mihi imponere juniore, faciens hoc non ex aliqua levitate animi, sed ob reverentiam sacramenti. Habito itaque tractatu super hoc cum domino rege patre meo, dominisque et fratribus meis, rege, et Pictaviæ, et Britanniarum comitibus; episcopis etiam Henrico Baiocensi, Rogerio Sagiensi, Reginaldo Bathoniensi, Segfrido Cicestrensi, qui presentes aderant, aliter de vita, et statu meo disposui, volens patris mei obsequiis militare ad tempus, et ab episcopalibus abstinere. Omne itaque jus electionis meæ, et Lincolniensem episcopatum spontaneæ, libere, et integre in manu vestra (pater sancte) resigno, tam electionis, quam episcopatus absolutionem postulans a vobis, tanquam a metropolitano meo, et ad hoc ab Apostolica sede specialiter delegato. Bene vale.

Hoveden.
Annal. Pars
Poster.
fol. 348.

XXVIII.

Alexander Papa Clericis per Archidiaconat. Berkesire constitutis indulget ne Canes vel Accipitres Archidiacono exhibeant.

Conventio-
nes, Literæ,
et Acta
Publica,
tom. I. p. 60.
A.D. 1182.

Alexander Episcopus, servus servorum Dei, dilectis filiis clericis per Archidiaconatum Berkesire constitutis, salutem et Apostolicam benedictionem.

Cum nobis sit, quanquam immeritis, omnium ecclesiarum cura commissa, sicut officii nostri debito, cogimur providere ne subditi superioribus debitam reverentiam subtrahant et honorem, ita quoque volumus præcavere, ne a majoribus subditi valeant indebite prægravari; ea propter, quieti vestræ paterna solitudine providentes, auctoritate vobis Apostolica indulgemus, ne canes vel accipitres archidiacono vestri cogamini exhibere, nec eum pluries quam semel in anno recipere, tunc ei per diem unum et noctem necessaria ministraturi, cum septem tantum equitaturis, et personis totidem, et tribus servientibus peditibus.

Nulli ergo hominum liceat hanc paginam nostræ concessionis infringere, vel ei ausu temerario contraire.

Si quis autem hoc attemptare præsumperit, indignationem omnipotentis Dei, et beatorum Petri et Pauli, Apostolorum ejus, se noverit incursum. Dat. Lateran. viii. Kal. Martii.

XXIX.

Pope Clement III.'s Bull of Exemption of the Church of Scotland, directed to King William.

Hoveden.
Annal. Pars
Poster.
fol. 371.

Clemens Episcopus, servus servorum Dei, charissimo in Christo filio Willielmo illustri Scotorum regi, salutem et Apostolicam benedictionem. Cum universi Christi jugo subjecti ad sedem Apostolicam patrocinium invenire debeant et favorem, illos tamen specialius convenit munimine protectionis confoveri, quorum fidem ac devotionem in pluribus est experta, ut ad ipsius electionis favorem tanto amplius provocetur, et ejus reverentiæ devotiori affectione subdantur, quanto benevolentiae ipsius, et gratiæ pignus se noverint certius assecutos. Ea propter, charissime in Christo fili, reverentiam ac devotionem quam ad Romanam te habuisse, a longis retro temporibus, Ecclesiam novimus, attendentes, presentis scripti pagina duxi-

mus statuendum, ut Scoticana Ecclesia Apostolicæ sedi, cujus filia specialis existit, nullo mediante debeat subiacere; in qua hæ sedes episcopales esse noscuntur: ecclesiæ videlicet Sancti Andreæ, Glascuensis, Dunkeldensis, Dumblinensis, Brechinnensis, Aberdonensis, Moraviensis, Rosensensis, Katinensis; et nemini liceat nisi Romano Pontifici, vel legato ab ipsius latere destinato, in regnum Scotiæ interdicti vel excommunicationis sententiam promulgare: et si promulgata fuerit, decernimus non valere. Adjicimus ut nulli de cætero qui de regno Scotiæ non fuerit, nisi quem Apostolica sedes propter hoc de corpore suo specialiter destinaverit, licitum sit in eo legationis officium exercere. Prohibemus autem ut controversiæ quæ fuerint in regno illo de possessionibus ejus exortæ, ad examen extra regnum positorum judicum non trahantur nisi ad Romanam Ecclesiam fuerit appellatum. Si qua vero scripta contra hujus libertatis statuta apparuerint impetrata, vel in posterum, istius concessionis mentione non habita, contigerit impetrari; nullum tibi, vel ipsi regno, circa hujus prerogativæ concessionem, præjudicium generetur. Preterea libertates, et immunitates tibi, vel eidem regno, vel ecclesiis in eo constitutis, a prædecessoribus nostris Romanis pontificibus indultas, et hactenus observatas, ratas habemus, et illibatas futuris temporibus statuimus permanere. Nulli ergo hominum liceat, &c. Dat. Laterani, tertio Idus Martii, pontificatus nostri anno primo.

720.

XXX.

The King's Offer of Satisfaction to the Pope in the case of Stephen Langton, Archbishop of Canterbury.

Rex, &c. Londoniensi, Elyensi, et Wigorniensi episcopis, salutem: sciatis quod parati sumus obedire domino Papæ sic ut debemus, et mandatum ejus super negotio Cantuariensis ecclesiæ ad nos directum, quod nobis ostendistis, implere, cum consilio fidelium nostrorum sicut decet, secundum rationem: "Salvis nobis in omnibus et heredibus nostris, in jure nostro, et dignitate nostra, et libertatibus nostris." Testibus, G. filio Petri, comite Essex, R. comite Cestrie, William comite Arundel, W. comite Sarisburiensi, fratre nostro, R. comite de Clara, S. comite Winton, A. comite Oxon, Roberto filio Rogeri, R. constabulario Cestrie, W. Briewer apud Lameh, vicesimo primo dié Januarii.

Pat. 9. Jo-
hannis
Regis. M. 3.
n. 22.
A.D. 1208.

XXXI.

King John's Oath of Homage to Pope Innocent III.

Matth.
Paris. Hist.
Angl. ad
an. 1213.
p. 237.
Fœdera,
Conventio-
nes, Literæ,
&c. tom. 1.
p. 177.

Ego Johannes, Dei gratia Rex Angliæ, et Dominus Hiberniæ, ab hac hora et in antea, fidelis ero Deo et beato Petro et Ecclesiæ Romanæ, et domino meo Papæ domino Innocentio III. ejusque successoribus catholice intransantibus. Non ero in facto, in dicto, consensu, vel consilio ut vitam perdant, vel membra, vel mala captione capiantur. Eorum damnum si scivero, impediam, et remove faciam si potero; alioquin eis, quam citius potero, intimabo, vel tali personæ dicam quam eis credam pro certo dicturam; consilium quod mihi crediderint per se, vel per nuncios, seu literas suas, secretum tenebo, et ad eorum damnum nulli pandam me sciente. Patrimonium beati Petri, et specialiter regnum Angliæ et regnum Hiberniæ, adjutor eis ero ad tenendum et defendendum contra omnes homines, pro posse meo. Sic Deus me adjuvet et hæc sancta Dei Evangelia.

XXXII.

King John's Charter for constituting a Jewish Patriarch or High Priest.

Rot. Chart.
1. Regis
Johan.
Part 1.
M. 28.
Chart. 171.
Coke's In-
stitutes,
part 2.
fol. 508.

Rex omnibus fidelibus suis, et omnibus et Judæis et Anglis salutem. Sciatis nos concessisse, et presenti charta nostra confirmasse Jacobo Judæo de Londoniis presbytero Judæorum, presbyteratum omnium Judæorum totius Angliæ, habendum et tenendum, quam diu vixerit, libere et quiete, et honorifice, et integre, ita quod nemo ei super hoc molestiam aliquam, aut gravamen inferre præsumat. Quare volumus et firmiter præcipimus, quod eidem Jacobo, quoad vixerit, presbyteratum Judæorum per totam Angliam garantetis, manu teneatis, et pacifice defendatis. Et si quis ei super eo foris facere præsumpserit, id ei sine dilatione (salva nobis emenda nostra) de foris factura nostra emendari faciatis, tanquam dominico Judæo nostro, quem specialiter in servitio nostro retinimus. Prohibemus etiam ne de aliquo ad se pertinente ponatur in placitum, nisi coram nobis, aut coram capitali justitiario nostro; sicut charta regis Ricardi fratris nostri testatur. Teste S. Bathoniense episcopo, &c. Dat. per manus H. Cantuariensis archiepiscopi, cancellarii nostri apud Rothomagum, 31^o die Julii, anno regni nostri primo.

XXXIII.

King John's Charter to the Church for the Liberty of Elections of Bishops and Abbots.

Johannes Dei gratia Rex Angliæ, &c., archiepiscopis, episcopis, comitibus, baronibus, militibus, ballivis, et omnibus has literas visuris, et audituris, salutem. Quia inter nos et venerabiles patres nostros Stephanum Cantuariensem archiepiscopum, et sanctæ Romanæ Ecclesiæ cardinalem, Willielmum London, Eustachium Eliensem, Egidium Herefordensem, Gocelinum Bathoniensem et Glastonensem, et Hugonem Lincolnensem episcopos, super damnis, et ablatis eorum, tempore interdicti, per Dei gratiam, de mera et libera voluntate utriusque partis plene convenit; volumus non solum eos, quantum secundum Dominum possumus, satisfacere; verum etiam toti Ecclesiæ Angliæ salubriter, et utiliter providere in perpetuum. Inde est quod qualiscunque consuetudo temporibus nostris et predecessorum nostrorum, hactenus in Ecclesia Anglicana fuerit observata, et quicquid nobis juris hactenus vendicaverimus in electionibus quorumcunque prælatorum, majorum et minorum; nos ad petitionem ipsorum pro salute animæ nostræ, et predecessorum, ac successorum nostrorum regni Angliæ, liberali, mera et spontanea voluntate, de communi consensu baronum nostrorum, concessimus, et constituimus, et hæc presenti charta nostra confirmavimus, ut de cætero in universis et singulis ecclesiis, et monasteriis, cathedralibus, et conventualibus, totius regni nostri Angliæ, liberæ sint imperpetuum electiones quorumcunque prælatorum, majorum et minorum, salva nobis et hæredibus nostris custodia ecclesiarum, et monasteriorum vacantium, quæ ad nos pertinent. Promittimus etiam quod non impediemus, nec impediri permittemus, vel faciemus per nostros, nec procurabimus, quin in singulis et universis ecclesiis, et monasteriis memoratis, postquam vacaverint prælaturæ, quemcunque voluerint, libere sibi præficiant electores pastorem; petita tamen prius a nobis et heredibus nostris licentia eligendi, quam non denegabimus, nec differemus; et si forte (quod absit) denegaremus vel differemus, procedant nihilominus electores ad electionem canonicam faciendam, et similiter post celebratam electionem, noster requiratur assensus; quam non denega-

Matth.
Paris. Hist.
Angl.
p. 256.
Spelman,
Conc. vol. 2.
p. 135. Ex
Registro
Chartar.
Cantuar.
Archiep. M.
Paris. p. 263.
Fœdera,
Conventio-
nes, Literæ,
&c. tom. 2.
p. 197.

721.

binus, nisi aliquid rationabile proposuerimus, et legitime probaverimus, propter quod non debeamus consentire. Quare volumus et firmiter jubemus, ne quis, vacantibus ecclesiis vel monasteriis, contra hanc concessionem et constitutionem, in aliquo veniat vel venire præsumat. Si quis vero contra has aliquo unquam tempore venerit, maledictionem Dei omnipotentis et nostram incurrat. Hiis T. P. Wynton, &c. Dat. per manum magistri Ricardi de Marisco cancellarii nostri 15^o die Junii apud Novum Templum, London. anno regni nostri 16^o.

Besides the bishop of Winchester, there are five earls and six barons witnesses to this charter.

XXXIV.

King John's Writ for the Restitution of the Bishop of Winchester's Temporalities after the general Seizure upon the Interdict.

Clause 9.
Johannis
Mem. 5.

Rex, &c. Roberto Lupo, et G. de Serland. Sciatis quod reddidimus Domino Wintoniensi episcopo, episcopatum Wintoniæ, et omnes terras, res, redditus, et possessiones suas, et wardas suas, et omnia sua capta in manum domini regis, occasione interdicti. Et ideo vobis mandamus, quod ei episcopatum suum, et omnia sua in baliva tua habere faciatis, et in pace terre faciatis; retentis in manu nostra terris, redditibus, et rebus omnibus abbatum, priorum, et domorum religiosarum, et etiam clericorum de episcopatu suo. Teste W. Briwer. Apud Waverle, quinto die Aprilis.

XXXV.

The Form of a Bond, or Obligation, made to the Caursins, for the Repayment of Money upon Loan.

Matth.
Paris. Hist.
Angl. p. 418.
A. D. 1235.

Universis præsens scriptum visuris, N. prior, et conventus N. salutem in Domino. Noveritis nos mutuo recepisse apud Londinum, pro nostris et ecclesiæ nostræ negotiis utiliter expediendis, ab illo N. et illo N. pro se, et sociis suis, civibus, et mercatoribus civitatis N. centum et quatuor marcas bonorum et legalium esterlingorum, tredecim solidis et quatuor sterlingis pro marca qualibet computatis. De quibus centum et quatuor marcis, nomine nostro et ecclesiæ nostræ, bene

nos vocamus quietos et integre protestamur pacatos: exceptioni non numeratæ, non solutæ, et non traditæ nobis pecuniæ, ac etiam exceptioni, quod dicta pecunia in usus nostros et ecclesiæ nostræ non sit conversa, omnino renunciantes. Quas prætaxatas centum et quatuor marcas sterlingorum, prædicto modo et numero computandas, dictis mercatoribus, vel uni ipsorum, vel eorum certo nuncio, qui presentes literas secum attulerit, in festo Sancti Petri ad Vincula, scilicet primo die mensis Augusti, apud Novum Templum Londini, anno Dominicæ incarnationis millesimo ducentesimo trigessimio quinto, per legitimam stipulationem promittimus, et tenemur nomine nostro et ecclesiæ nostræ, nos integre soluturos et reddituros. Tali tenore adjuncto, quod si dicta pecunia prædictis loco et termino, sic ut dictum est, non fuerit persoluta et reddita, ex tunc in antea semper transacto termino promittimus, et tenemur per eandem stipulationem, dare et reddere prædictis mercatoribus, aut uni eorum, vel eorum certo nuncio, per singulos menses duos, pro singulis decem marcis, unam marcam dicta moneta, pro recompensatione damnorum, quæ damna et expensas ipsi mercatores ex hoc possent incurrere vel habere: ita quod damna et expensæ et sors cum effectu peti possint ut superius sunt expressa, et expensas unius mercatoris cum uno equo et cum uno serviente, ubicunque fuerit mercator, usque ad plenam solutionem omnium prædictorum. Expensas etiam factas et faciendas, pro ipsa pecunia recuperanda, reddemus et restaurabimus eisdem mercatoribus, vel uni eorum, vel eorum certo nuncio. Quam recompensationem damnorum interessæ, et expensarum promittimus dictis mercatoribus in sortem dicti debiti nullatenus computari; ac non detinere dictum debitum sub prætextu recompensationis memoratæ, contra voluntatem prædictorum mercatorum, ultra terminum antedictum. Pro quibus omnibus antedictis, firmiter et plenarie adimplendis, et inviolabiliter observandis, obligamus nos et ecclesiam nostram, et successores nostros, et omnia bona nostra, et ecclesiæ nostræ, mobilia et immobilia, ecclesiastica et mundana, habita et habenda, ubicunque fuerint inventa, mercatoribus antedictis, et eorum hæredibus, usque ad plenam solutionem omnium prædictorum, quæ bona ab eis precario nomine recognoscimus possidere. Et volumus super omnibus antedictis ubique et in omni foro conveniri, renunciando pro omnibus antedictis, pro

722.

nobis et successoribus nostris, omni juris auxilio, canonici et civilis, privilegio clericatus et fori, epistolæ divi Adriani, omni consuetudini et statuto, omnibus literis, indulgentiis, privilegiis, pro rege Angliæ et omnibus regni sui, a sede Apostolica impetratis et impetrandis, constitutioni de duabus dietis, beneficio restitutionis in integrum, beneficio appellationis et recusationis literis inhibitionis regis Angliæ, et omni alii exceptioni, reali et personali, quæ posset objici contra hoc instrumentum vel factum. Omnia ista promittimus fideliter observanda. In cujus rei testimonium, presenti scripto, sigilla nostra duximus apponenda. Acta die quinta Ælphégi, anno Gratiae M.CC.XXXV.

XXXVI.

An Order of King Henry III. to the Abbot of St. Alban's, not to pay any Tax to the Pope.

A.D. 1246.
Matth.
Paris. Hist.
Angl. p. 707.

Henricus, Dei gratia Rex Angliæ, &c., dilecto sibi in Christo abbati de S. Albano, salutem. Audivimus quod venerabilis in Christo pater Fulco Londini compellit vos ad tallagium, ad opus Papæ persolvendum. Super quo miramur plurimum et movemur maxime, cum in prædicta convocatione provisum fuerat communiter perdictos prelatos et magnates, quod nihil fieret de tallagio illo, ante reditum nunciorum eorum a curia Romana, ad quam idem nuncii sunt, sicut nostis, pro specialibus totius regni nostri negotiis destinati. Qua propter vobis mandamus, firmiter inhibentes, quod nec ad mandatum præfati episcopi, nec alterius, aliquid attemptetis contra provisionem prædictam, sicut baroniam vestram, quam de nobis tenetis, diligitis pacifice possidere. Quoniam attemptationem hujusmodi non possumus nec volumus sustinere. Teste me ipso: apud Westmonasterium primo die Aprilis, anno regni nostri trigesimo.

XXXVII.

Pope Innocent IV.'s Bull to the Bishop of Lincoln, for the augmenting and erecting Vicarages.

Matth.
Paris. Hist.
Angl. p. 840.
A.D. 1252.

Innocentius Episcopus, &c. venerabili Lincolnensi episcopo, &c. Cum, sicut accepimus, in tua civitate et diocesi nonnulli religiosi et alii collegiati ecclesias parochiales in proprios usus obtineant, in quibus nimis exiles aut nullæ taxatæ sunt vica-

rise, fraternitati tuæ per Apostolica scripta mandamus, quatenus in iisdem ecclesiis de ipsarum proventibus vicarias instituas, et institutas exiles adaugeas vice nostra; prout juxta consuetudinem patriæ secundum Deum videris expedire. Non obstantibus si prædicti exempti sint, aut alias muniti Apostolicis privilegiis, sive indulgentiis, per quæ id impediri vel differri possit: et de quibus specialem oporteat in presentibus fieri mentionem: contradictores per censuram ecclesiasticam, appellatione postposita, compescendo. Datum Lugduni, septimo calend. Octob. pontificatus nostri anno octavo.

XXXVIII.

723.

Pope Innocent IV.'s Letter to the Prelates of France, England, &c. for the Regulation of the Studies of the Clergy.

Innocentius Quartus omnibus prælatis in regno Franciæ, Angliæ, Scotiæ, Walliæ, Hispaniæ, et Hungariæ, constitutis super specula et infra. Dolentes recolimus, qualiter quondam pia ac sancta clericorum plantatio suæ primæ honestatis oblita, a summo sanctitatis culmine ad ima descendit vitiorum. Crebris quippe relatis aures nostras abhorrenda fama circumstrepit, et inculcat assidue, quod relictis quin immo procul et abjectis philosophicis disciplinis (ut ad presens de divina scientia taceamus) tota clericorum multitudo ad audiendas sæculares leges concurrat: et quod magis est divini animadversione dignum judicii, nunc in plerisque mundi climatibus ad ecclesiasticas dignitates, honores, vel præbendas nullus assumitur a prælatis, nisi qui vel sæcularis scientiæ professor, vel advocatus existat, cum tales a talibus, nisi alia suffragarentur, eisdem essent potius repellendi. Maxime, cum philosophiæ alumni, in ejusdem grenio tam tenerrime educati, tam diligentissime imbuti, tam excellentissime prompti et edocti, præ victus et vestitus penuria conspectum hominum cogantur fugere; hic et illuc tanquam noctuæ latitantes, et advocati nostri, immo diaboli, equis phaleratis purpurati insidentes, in fulgore auri, in candore argenti, in nitore gemmarum, in holosericis, stupentem reverberantes solem, se non Crucifixi vicarios, sed hæredes Luciferi pretendentes: quocunque ingrediantur de se spectaculum facientes; laicorum indignationem et odium contra se, immo, quod magis est dolendum, contra totam Dei ecclesiam provocant, et incurrunt. Dicunt enim laici, "Ecce homines

Matth.
Paris. Addi-
tament.
p. 190.
A.D. 1254.

qui non posuerunt Dominum adiutorem suum, sed multitudine divitiarum suarum gloriantur ;” quod animorum elationes et gestus incompositi satis comprobant et ostendunt. Videtur siquidem ad impletum, quod pagani præsagio oculi fuerat figuratum,

Omnia naturæ præpostera legibus ibunt.

Non sic habenda fides. Nec mirum; servit enim Sarah, et Agar imperat; affliguntur liberi, et servi obtinent principatum.

Volentes igitur, tantæ insolentiæ morbo necessariam adhibere medelam, ut plenius et perfectius theologiæ studio insistatur, quæ directæ iter ostendit salutis, vel saltem philosophicis disciplinis, quæ etsi pietate careant, tamen dirigunt ad sciendum, et cupiditatis reddunt extorrem; quæ et “omnium malorum radix, et idolorum servitus” perhibetur. Hac irrefragabili constitutione statuimus, ut nullus de cætero sæcularium legum professor, seu advocatus, quatenuscunque in legum facultate singularis gaudeat præeminentiæ privilegio speciali, ad ecclesiasticas dignitates, personatus, præbendas, seu etiam minora beneficia assumatur; nisi in aliis liberalibus disciplinis sit expertus, et vita et moribus commendatus existat. Cum per tales et ecclesiæ deturpetur honestas, et sanctitas exulet: et fastus et cupiditas ita regnent, quod in cunctis sui lateribus gravem dolorem sentiat Mater Ecclesia admirandis ulceribus sauciata. Si qui vero prelatorum, contra hoc statutum salubre, presumptione damnabili aliquid attemptaverint; factum suum noverint ipso jure, et se illa vice, potestate conferendi privatos. Et si presumptionem iteraverint, pœnam divortii a prelaturis suis poterant formidare. Præterea cum in Franciæ, Angliæ, Scotiæ, Walliæ, Hispaniæ, et Hungariæ regnis, causæ laicorum non imperatoris legibus, sed laicorum consuetudinibus decidentur; et cum ecclesiasticæ, sanctorum patrum constitutionibus valeant terminari, et tam canones quam consuetudines plus confundantur legibus, quam juventur (præcipue propter nequitiam); fratrum nostrorum, et aliorum religiosorum consilio et rogatu statuimus, quod in prædictis regnis, leges seculares de cætero non legantur: si tamen hoc de regum et principum processerit voluntate: primo tamen statuto, semper et irrefragabiliter in suo ordine duraturo. Datum Romæ.

XXXIX.

The Bishop of Lichfield and Coventry's Letter to the Archdeacon of Stafford, to summon them to the Synod, or Convocation, at Merton.

Rogerus Dei gratia Coventrensis et Lichfeldensis Episcopus dilecto filio archidiacono Staffordiæ salutem, gratiam, et benedictionem. Mandatum venerabilis patris B. Dei gratia Cantuariensis archiepiscopi, totius Angliæ primatis, recepimus in hæc verba: B. permissione divina Cantuariensis archiepiscopus, totius Angliæ primas, venerabili in Christo fratri Dei gratia Coventrensi et Lichfeldensi episcopo, salutem, et fraternæ dilectionis in Domino semper augmentum. Cum propter Ecclesiæ Anglicanæ eventus et causas, quas fraternitatem vestram ignorare non convenit, fratrum nostrorum congregationem videamus opportunam; devotionem vestram rogamus, monemus, et exhortamur in Domino, sub obedientiæ debito firmiter injungentes quatenus die Jovis proxima ante instans festum S. Barnabæ Apostoli, apud Mertonam curetis vestram presentiam exhibere, qualibet occasione cessante; ut in hac urgente necessitate, Ecclesia, nostro regimini commissa, per vos et alios fratres nostros gratum habeat providi consilii fulcimentum. Vocetis etiam decanos cathedralium, ac aliarum ecclesiarum; nec non etiam abbates, priores majores, insuper et archidiaconos, vestræ diocesis universos, ut cum literis suorum subditorum procuratoriis loco et die antedictis compareant, ut quod communi deliberatione provisum fuerit, ex membrorum cohærentia firmitus roboretur. Data apud Lamhedam, XIII. Cal. Maii, anno Dom. MCCLVIII. Hoc igitur mandatum vice nostra diligentius exequamini, ac nihilominus vos ipsi compareatis dictis die et loco, cum literis procuratoriis cleri totius archidiaconatus vestri, ut vestri presentia firmitus roboretur, quod ad utilitatem Ecclesiæ Anglicanæ de consilio et assensu vestro contigerit provideri. Data VI. Cal. Maii, pontificatus nostri anno primo.

Annal.
Burton.
p. 388.
A.D. 1258.

724.

XL.

King Edward I.'s Writ to the Bishops, to send their Quota of Men into the Field to suppress the Insurrection of the Welsh.

Edvardus Dei gratia Rex Angliæ, Dominus Hiberniæ, et

Convention-
nes, Literæ,
&c. tom. 2.
p. 74.
A.D. 1276.

Dux Aquitanie, venerabili in Christo patri domino R. eadem gratia Cantuariensi archiepiscopo, totius Angliæ primati, salutem.

Quia Lewelinus filius Griffini princeps Walliæ, et complices sui rebelles nostri, terras nostras, et fidelium nostrorum in partibus Marchiæ invaserunt, et de die in diem invadunt; et homicidia, et alia damna enormia, ibidem perpetrarunt: et idem Lewelinus nobis, prout deberet, obedire contempsit, et contemnit, in nostri prejudicium et contemptum, et vestri, et aliorum fidelium nostrorum grave dampnum, et exheredationem manifestam; per quod jam exercitum nostrum summoneri fecimus, quod sit apud Wygorniam in octabis sancti Johannis Baptistæ proximo futuris, ad rebellionem dicti Lewelini et fautorum suorum reprimendam.

Vobis mandamus quod dictis die et loco habeatis servitium vestrum nobis debitum paratum ad proficiscendum nobiscum exinde in expeditionem nostram contra prædictum Lewelinum et complices suos, rebelles nostros: teste meipso apud Winsor, 12^o die Decembris, anno regni nostri quinto.

Writs were sent in the same form to the archbishop of York, and the suffragans of both provinces; and also to the abbeyes.

Conven-
tions, Li-
tera, &c.
tom. 2.
p. 75.

XLI.

The Statute of Circumspecte Agatis, as it stands in the Record.

An. 13 Ed. 1.
Coke's In-
stitutes,
part 2.
fol. 487.
A.D. 1285.

Rex talibus iudicibus, salutem. Circumspecte agatis de negotiis tangentibus episcopum Norwicensem, et ejus clerum, non puniendo eos si placitum tenuerint in curia christianitatis de hiis quæ mere sunt spiritualia, viz. De correctionibus quas prælati faciunt pro mortali peccato, viz. Pro fornicatione, adulterio, et hujusmodi, pro quibus aliquando infligitur pœna corporalis, aliquando pecuniaria; maxime si convictus fuerit de hujusmodi liber homo.

Item, Si prælatus puniat pro cœmeterio non clauso, ecclesia disco operta, vel non decenter ornata, in quibus casibus alia pœna non potest infligi quam pecuniaria.

Item, Si rector petat versus parochianos oblationes, et decimas debitas vel consuetas, vel si rector agat contra rectorem de decimis majoribus, vel minoribus, dummodo non petatur quarta pars valoris ecclesiæ.

Item, Si rector petat mortuarium in partibus ubi mortuarium dari consuevit.

Item, Si prælatus alicujus ecclesiæ, vel advocatus petat a rectore pensionem sibi debitam, omnes hujusmodi petitiones sunt faciendæ in foro ecclesiastico.

De violenta manuum injectione in clericum, et in causa difamationis concessum fuit alias, quod placitum inde teneatur in curia christianitatis, cum non petatur pecunia, sed agatur ad correctionem peccati, et similiter pro fidei læsione. In omnibus prædictis casibus habet judex ecclesiasticus cognoscere, regia prohibitionem non obstante.

XLII.

The Competitors of the Kingdom of Scotland's Submission of their claim to the decision of King Edward I., and their acknowledgement of his being the supreme Lord of the Kingdom of Scotland. 725.

A touz qi ceste lettre verront ou orrount, Florence, counte de Holand, Robert de Brus, seignor du Val d'Anaunt, Johan de Baillol, seignor de Gaweie, Johan de Hastings, seignor de Bergeveny, Johan Comyn, seignor de Badenough, Patrick de Dunbar, counte de la Marche, Johan de Vescy por son pere, Nicholes de Soules, et William de Ros, salus en Dieu.

Conventiones, Literæ, et Acta Publica, tom. 2. p. 529. Mat. Westm. ad an. 1291.

Come nous entendoms avoir droit en realme d'Escoce E cel droit Moustier, chalenger, et averrer devaunt celui, qi pluis de poer juridiccion, &c. reson eust de trier nostre droit.

E le noble prince, Sire Edward, par la grace de Dieu, roy d'Engleterre, nous eyt enfourmez, par bones et suffisauntes resons, qe a lui apert, et avoir doit la soverayne seignorie du reamne de Escoce, et in conussauce de oir, trier, et terminer nostre droit.

Nous, de nostre propre volunte, saunz nule manere de force ou destresce voloms, otrions, et grauntoms de receyure droit devaunt lui, com soverayne seignor de la terre.

E voloms ia le mems, promettoms qe nous averoms, et tendroms ferm et estable son fete, qe lue en portera le realme, a qi droit le durra devaunt lui.

En tes moinge de cest chose nous avoms mys nos seale a cest escrit.

Fet et done a Norham, le Mardy prochein apres la Assension, l'an de Grace 1291.

XLIII.

John Archbishop of York's Licence to the Judges, for holding the Assizes from Septuagesima to the beginning of Lent.

21 Ed. 1.
Rot. 53.
Spelman.
Concil.
vol. 2.
p. 413.
A.D. 1293.

Johannes permissione divina Ebor. Archiepiscopus, Angliæ Primas, dilectis sibi Hugoni de Cressingham et sociis suis justitiariis domini regis apud Eboracum itinerantibus, salutem et gratiam salvatoriam. Licet pro communi salute fidelium provido ecclesiasticæ dispositionis judicio ordinatum fuerit et statutum, quod certis anni temporibus contemplativæ devotioni deditis, secularis potestas neminem possit compellere ad jurandum; amore tamen justitiæ, quam maturari æquum credimus atque pium, ex quadam conniventia toleramus, quod assizas quascunque mortis antecessoris et novæ disseisinæ, quas coram vobis ventilari contigerit, hoc instanti Septuagesimæ et Sexagesimæ tempore capiat et quod justum fuerit faciat, super quo vestras conscientias oneramus. Bene valete. Data apud Wilton, Idibus Februarii, anno Gratiae 1293, et pontificatus nostri nono.

XLIV.

The English Barons' Letter to the Pope, in which they deny that the Realm of Scotland is a Fee of the See of Rome, or that the Pope has any manner of Jurisdiction in Temporals.

Conventio-
nes, Literæ,
et Acta
Publica,
tom. 2.
p. 873.
A.D. 1301.
Westm. ad
an. 1301.

Sanctissimo in Christo patri domino B. divina Providentia sanctæ Romanæ Ecclesiæ summo pontifici sui devoti Filii.

Johannes comes Warennæ.

Thomas comes Lancastriæ, &c. (usque ad centum nomina Baronum vel circiter.)

Sancta Romana Mater Ecclesia, per cujus ministerium fides catholica gubernatur, in suis actibus cum ea, sic ut firmiter credimus et tenemus, maturitate procedit, quod nulli præjudicare, sed singulorum jura, non minus in aliis, quam in seipsa, tanquam Mater Alma, conservari valet illæsa.

Sane, convocato per serenissimum dominum nostrum Edvardum, Dei gratia, regem Angliæ illustrem, parlamento apud Lincolniam generali; idem dominus noster quasdam literas

Apostolicas, quas super certis negotiis, conditionem et statum regni Scotiæ tangentibus, ex parte vestra receperat, in medio exhiberi, et seriose fecit nobis exponi.

Quibus auditis, et diligenter intellectis, tam nostris sensibus admiranda, quam hactenus inaudita, in eisdem audivimus contineri.

Scimus enim (pater sanctissime) et notorium est in partibus Angliæ, et nonnullis aliis non ignotum; quod, a prima institutione regni Angliæ, reges ejusdem regni, tam temporibus Britonum, quam Anglorum, superius et directum dominium regni Scotiæ habuerunt, et in possessione vel quasi superioritatis, et directi domini ipsius regni Scotiæ successivis temporibus extiterunt:

Nec ullis temporibus ipsum regnum, in temporalibus, pertinet, vel pertinet quovis jure ad Ecclesiam supradictam:

Quinimo idem regnum Scotiæ progenitoribus prædicti domini nostri regibus Angliæ, atque sibi feudale extitit ab antiquo.

Nec etiam reges Scotorum, et regnum aliis, quam regibus Angliæ, subfuerunt, vel subjici consueverunt.

Neque reges Angliæ, super juribus suis, in regno prædicto, aut aliis suis temporalibus coram aliquo iudice ecclesiastico, vel seculari, ex libera præeminencia status suæ regię dignitatis et consuetudinis, cunctis temporibus irrefragabiliter observatę responderunt, aut respondere debebant.

Unde, habito tractatu, et deliberatione diligenti, super contentis in vestris literis memoratis, communis, concors, et unanimis omnium, et singulorum consensus fuit, est, et erit inconcusse, Deo propitio, in futurum:

Quod præfatus dominus noster rex super juribus regni sui Scotiæ, aut aliis suis temporalibus, nullatenus judicialiter respondeat coram vobis, nec iudicium subeat quoquo modo; aut jura sua prædicta in dubium quæstionis deducat:

Nec ad presentiam vestram procuratores aut nuncios ad hoc mittat; præcipue cum præmissa cederent manifeste in exheredationem juris coronę regni Angliæ et regię dignitatis; ac subversionem status ejusdem regni notoriam: nec non in prejudicium libertatum, consuetudinum, et legum paternarum; ad quarum observationem et defensionem, ex debito prestiti juramenti, astringimur; et quę manu tenebimus toto posse, totisque viribus cum Dei auxilio, defendemus.

Nec etiam permittimus, aut aliquatenus permittemus, sicut

nec possimus, nec debemus, præmissa tam insolita, indebita præjudicialia, et alias inaudita, prælibatum dominum nostrum regem, etiamsi vellet, facere, seu quomodo libet attemptare.

Quocirca sanctitati vestræ reverenter et humiliter supplicamus quatenus eundem dominum nostrum regem (qui inter alios principes orbis terræ, catholicum se exhibet, et Ecclesiæ Romanæ devotum) jura sua, libertates, consuetudines, et leges, absque diminutione et inquietudine, pacifice possidere; et ea illibata percipere benignius permittatis.

In cujus rei testimonium sigilla nostra tam pro nobis, quam pro tota communitate prædicti regni Angliæ, presentibus sunt appensa.

Datæ apud Lincolniam 12 die Februarii, anno Domini 1301.

XLV.

William, Bishop of Worcester, fined for receiving the Pope's Bull containing a clause derogatory to the Crown.

Spelman.
Concil.
vol. 2.
p. 435.
Ex Biblioth.
Cotton.
A.D. 1302.

Rex dilecto clerico suo Humfrido de Waleden custodi episcopatus Wigorn, sede vacante, salutem. Cum dominus Bonifacius summus pontifex dilectum nobis in Christo fratrem Willielmum de Gainsborough de ordine Minorum, in episcopum Wigorn præfecerit, et pastorem, sicut per literas ipsius summi pontificis bullatas, nobis inde directas plenius nobis constat; nos præfectionem illam acceptantes, cepimus fidelitatem ipsius Willielmi, et temporalia episcopatus prædicti, pro ut moris est, restituimus eidem: et ideo vobis mandamus quod eidem Willielmo temporalia episcopatus prædicti sine dilatione liberetis, sicut prædictum est. Teste rege apud Windsore 4 die Februarii.

Et mandatum est militibus, liberis hominibus, et omnibus aliis tenentibus de episcopatu prædicto, quod eidem Willielmo tanquam episcopo et domino suo, in omnibus quæ ad episcopatum illum pertinent, intendentes sint et respondentes, sicut prædictum est. In cujus, &c. Teste rege, ut supra.

Et memorandum, quod eadem die præfatus episcopus in castro regis apud Windesore oblata R. bulla Apostolica, in qua continebatur inter cætera; quod Papa sibi commisit administrationem spiritualium et temporalium episcopatus prædicti, pro eo quod dicta bulla, in hoc juri regio prejudicialis fore videbatur, præfatæ commissioni, quantum ad temporalia

dicti episcopatus expresse renunciavit; et se dicta temporalia a dicto rege, velle admittere, eaque ab ipso tenere, in presentia dicti regis, et sui consilii recognovit: et pro transgressione quæ dicto regi fieri videbatur, in admissione bullæ apostolicæ, in qua continebatur, quod Papa sibi administrationem temporalium dicti episcopatus commisit: fecit dictus episcopus finem mille marcarum dicto regi, ad voluntatem suam solvendam. Postmodum vero dictus episcopus fecit fidelitatem consuetam dicto regi, et idem rex præcepit cancellario suo, quod faceret sibi literas de restitutione temporalium episcopatus prædicti. 727.

XLVI.

The Form of the Papal Indulgence to those who undertook an Expedition against the Anti-Pope Clement VII.

Auctoritate Apostolica mihi in hac parte commissa te A. B. ab omnibus peccatis tuis ore confessis, et corde contritis, et de quibus confiteri velles, si tuæ occurrerent memoriæ absolvimus, et plenariam peccatorum tuorum remissionem indulgemus, et retributionem justorum ac salutis æternæ pollicemur augmentum, et tot privilegia quæ in terræ sanctæ subsidium proficiscentibus conceduntur, tibi concedimus, ac Ecclesiæ universalis synodi, et Ecclesiæ sanctæ Catholicæ orationum et beneficiorum suffragia tibi impartimur.

Walsingham. Hist. Angl. p. 295. A.D. 1382.

The second Numb. XLVI.

The Regalities of the County Palatine of Durham allowed by the King and Parliament.

Bex, dilecto et fideli suo, Rogero de Mortuo Mari, custodi castri Bernardi, ac aliarum terrarum et tenementorum, quæ fuerunt Guidonis de Bello Campo, quondam comitis Warwici, defuncti, qui de domino E. nuper rege Angliæ, patre nostro tenuit in capite, infra libertatem episcopatus Dunelmensis, vel ejus locum tenenti, salutem. Petitio venerabilis patris, Ludovici episcopi dicti loci, coram nobis et consilio nostro, in ultimo parlamento nostro, apud Westmonasterium tento, exhibita;

A.D. 1327. Clause 1. E. 3. P. 2. M. 20. Conventions, Literæ, &c. tom. 4. p. 297.

Continebat ut,

Cum in parlamento prædicto, foris facturæ guerræ eidem episcopo, ut jus ecclesiæ suæ prædictæ, et prædecessori suo, in aliis parlamenti, fuissent adjudicatæ; et super hoc, brevia

nostra facta fuerint custodibus terrarum forisfactarum infra regalem libertatem ipsius episcopi, quod manum regiam inde amoveant ;

Ac castrum prædictum, manerium de Geyneford, et aliæ terræ quæ fuerunt prædicti comitis, et Hert et Herterness, quæ fuerunt Rogeri de Clifford ;

Quæ quidem castrum, maneria, terræ, et tenementa, alias forisfacta fuerunt per forisfacturam Johannis de Baliolo, et Roberti de Brus, et infra libertatem prædictam existunt, in manu nostra detinentur, ac si nos ratione forisfacturæ prædictæ, prerogativa nostra, infra libertatem prædictam, uti possemus, sicut alibi infra regnum nostrum :

Quæ quidem prerogativa ad ipsum episcopum, infra libertatem prædictam, pertinet, sicut dicit ;

Super quo nobis supplicavit, ut præcipere velimus custodibus terrarum prædictarum, per brevía nostra, quod manum regiam de terris illis, sicut de aliis, amoveant, ac prædictum episcopum libertate sua prædicta (ubi breve nostrum de jure currere non debet, nec nos ibidem terram seisire debemus) uti et gaudere permittant.

Nos pro eo quod per nos, et consilium nostrum alias in eodem parlamento, consideratum fuit, quod idem episcopus habeat libertatem suam regalem, prout alias concessum fuit tempore domini H. quondam regis Angliæ, proavi nostri ; et etiam concordatum fuit ibidem quod nos amoveamus manum nostram de omni eo quod habemus in manu nostra, ratione jurisdictionis regalis, et etiam ministros nostros in regali officio ministrantes, volentes quod ea quæ sic concordata sunt effectui mancipentur.

Vobis mandamus quod manum nostram de omni eo quod habemus in manu nostra, ratione jurisdictionis regalis, et quæ in custodia vestra existunt, nec non ministros nostros, si qui fuerint, in regali officio infra libertatem prædictam ministrantes, amoveatis, secundum formam considerationis et concordie prædictarum ; vos inde contra easdem considerationem et concordiam, nullatenus intromittentes.

Intentionis tamen nostræ, et consilii nostri non existit, quod aliqui, qui terras seu tenementa de foris-facturis, ex concessione progenitorum nostrorum, tenent, inde virtute considerationis prædictæ, absque responsione amoveantur.

Teste rege apud Dunelm. decimo quinto die Julii.

XLVII.

Archbishop Islip's Letter to Wickliffe, upon his preferring him to the Wardenship of Canterbury-college, in Oxford.

Simon, &c. dilecto magistro Johanni de Wiclive, salutem. In Regist. Islip, fol. 306. Wood, Antiq. Univ. Oxon. A.D. 1365. 728.
 Ad vitæ tuæ et conversationis laudabilis honestatem, literarumque scientiam, quibus personam tuam in artibus magistratam altissimus insignivit, mentis nostræ oculos dirigentes, ac de tuis fidelitate, circumspectione et industria plurimum confidentes, in custodem aulæ nostræ Cantuar. per nos noviter Oxoniæ fundatæ præficimus, tibi que curam et administrationem custodiæ hujusmodi incumbentes, juxta ordinationem nostram in hac parte committimus per presentes, reservata nobis receptione juramenti corporalis per te nobis præstandi debiti in hac parte. Dat. apud Magfeild, et Idus Decemb. an. Dom. 1365, et nostræ consecrationis 16.

The second Numb. XLVII.

Wickliffe's Bileve.

I have joyfully to telle alle trew men the Bileve that I hold, and algatis to the Pope. For I suppose, that if any faith be rightful and given of God, the Pope will gladly conserve it: and if my faith be error, the Pope will wisely amend it. I suppose over this, that the Gospel of Christ be part of the corps of God's law. For I believe that Jesu Christ, that gaf in his own persoun this Gospel, is very God and very Mon, and be this hit passes all other lawes. I suppose over this, that the Pope be most oblishid to the keping of the Gospel among all men that liven here; for the Pope is highest vicar that Christ has here in erth: for moreness of Christ's vicars is not measured by worldly moreness, bot by this, That this vicar sues * * * *followes.*
 more Christ by virtuous living. For thus techis the Gospel: That this is the sentence of Christ, and of his Gospel I take as Bileve: That Christ for time that he walked here was most poor mon of alle, both in spirit and in haveing; for Christ says, that he had noht for to rest his hede on. And over this I take as Bileve, that no mon schuld sue the Pope, ne no seint that now is in hevene, bot in alsmyche as he sued Christ: for John and James errid, and Peter and Powl sinned. Of this

I take as wholesome counseile, that the Pope leewe his worldly lordschip to worldly lords, as Christ gaf him; and move speedily all his clerks to do so: for thus did Christ, and taught thus his disciplis, till the fende had blynded this world: and if I erre in this sentence, I will mekely be amendid, hif by the deth, hif it be skilful, for that I hope were gode to me: and if I might traveil in my own persoun, I wold with Gode's wille go to the Pope. Bot * has nedid me to the contrary, and taught me more obeishe to God than to mon. And I suppose of our Pope, that he will not be Antichrist, and reverse Christ, in this wirking to the contrary of Christ's wille. For if he summons ageyns resoun by him, or any of his, and pursue this unskilful summoning, he is an open Antichrist: and merciful entent excusid not Petir that ne Christ clepid him Sathanas. So blynd entent and wicked conseil excuses not the Pope here: bot if he aske of trew prestis, that they travel more than they may, 'tis not excused by resoun of God, that ne he is Antichrist. For our Bileve teches us, that our blessed God suffris us not to be temtyd more than we may; how schuld a mon aske such service? And therefore pray we to God for our Pope Urban the Sex, that his old holy entent be not quenchid by his enemys. And Christ, that may not lye, seis that the enemyes of a mon be especially his homely meinth: and this is sothe of men and fendis.

* I suppose
the word
Christ is
omitted.

In a MS. called "Wickleff's Ecclesiæ Regimen," &c., there are, amongst other singularities, these errors.

Priest, deacon, or curate, schuld not be lords by lordlyche manner. To this understanding that preste and clerk schulden not fyght by material process, neither pleete, nor strive by worldly manner against temporal lords, taking from them secular lordships. Nevertheless clerks may have temporal goods by title of almes, only inasmuche as they be nedeful or profitable for the performing their ghostley office.—Prelates, neither prestes ne deacons, schulde not have secular office, such as chancellor, treasurer, privy-seal, &c.

If temporal lords do wrongs and extortions to the people, they been traitors to God and his people, and tyrants of Antichrist.

Inter MSS.
Dr. James,
fol. 1.

Id. fol. 58.

XLVIII.

Courtney, Archbishop of Canterbury's Protestation in the Parliament-house, for the saving the Privilege of himself and his Suffragans.

In Dei nomine, Amen. Cum de jure et consuetudine regni Angliæ, ad archiepiscopum Cantuariensem, qui pro tempore fuerit, nec non cæteros suos suffraganeos, confratres, et coepiscopos, abbatesque et priores, aliosque prælatos quoscunque per baroniam de domino nostro rege tenentes, pertineat in parliamentis regis quibuscunque ut pares regni prædicti personaliter interesse, ibidemque de regni negotiis, et aliis ibidem tractari consuetis, cum cæteris dicti regni paribus, et aliis ibidem jus interessendi habentibus consulere, et tractare, ordinare, statuere, et diffinire, ac cætera facere, quæ parliamenti tempore ibidem imminent facienda, in quibus omnibus et singulis, nos Willielmus Cantuariensis archiepiscopus, totius Angliæ primas, et apostolicæ sedis legatus, pro nobis, nostrisque suffraganeis, coepiscopis, et confratribus, nec non abbatibus, prioribus, ac prælatis omnibus supradictis protestamur, et eorum quilibet protestatur, qui per se, vel per procuratorem hic fuerit modo presens, publice, et expresse, quod intendimus, et intendit, volumus ac vult quilibet eorum in hoc presenti parlamento, et aliis, ut pares regni prædicti more solito interesse, consulere, tractare, ordinare, statuere, et diffinire, ac cætera exercere cum cæteris jus interessendi habentibus in eisdem, statu et ordine nostris et eorum cujuslibet in omnibus semper salvis. Verum quia in presenti parlamento agitur de nonnullis materiis, in quibus non licet nobis aut alicui eorum juxta sacrorum canonum instituta, quomodolibet personaliter interesse, ea propter pro nobis et eorum quolibet protestamur, et eorum quilibet hic presens etiam protestatur, quod non intendimus, nec volumus, sicuti de jure non possumus, nec debemus, intendit, nec vult aliquis eorundem, in presenti parlamento, dum de hujusmodi materiis agitur vel agetur, quomodolibet interesse: sed nos et eorum quemlibet, in ea parte penitus absentare, jure paritatis et cujuslibet eorundem interessendi in dicto parlamento, quoad omnia et singula inibi exercenda, nostris et eorum cujuslibet statui, et ordini congruentia, in omnibus semper salvo. Ad hæc insuper protestamur, et eorum quilibet protestatur, quod propter hujusmodi absentiam

A.D. 1387.
Antiquit.
Britan.
p. 267.
Regist.
Courtney,
fol. 174.
Rot. Parl.
11 Rich. 2.
n. 9.

729.

non intendimus, nec volumus, nec eorum aliquis intendit, vel vult, quod processus habiti et habendi in presenti parlamento super materiis antedictis, in quibus non possumus, nec debemus, ut præmittitur interesse, quantum ad nos et eorum quemlibet attinet, futuris temporibus quomodolibet impugnentur, infirmentur, seu etiam infringentur.

Second Numb. XLVIII.

Sir George Braybroke and his Lady Elizabeth's Indulgence, granted by Pope Boniface IX.

A.D. 1390.
Dugdale's
Hist. of
St. Paul's
Cathedral,
p. 46.

Bonifacius Episcopus Servus servorum Dei dilecto filio nobili viro Gerardo Braybroke juniore, militi; et dilectæ in Christo filiæ, nobili mulieri Elizabethæ ejus uxori Lincolnensis diocesis, salutem, et Apostolicam benedictionem. Provenit ex vestræ devotionis affectu, quo nos et Romanam Ecclesiam reveremini, ut petitiones vestras, illas præsertim quæ animarumstrarum salutem respiciunt, ad exauditionis gratiam admittamus. Hinc est, quod nos vestris supplicationibus inclinati, ut confessor, quem quilibet vestrum duxerit eligendum, omnium peccatorum vestrorum, de quibus corde contriti et ore confessi fueritis, semel tantum in mortis articulo, plenam remissionem vobis in sinceritate fidei Apostolicæ sanctæ Romanæ Ecclesiæ, ac obedientia, et devotione nostra, vel successorum nostrorum Romanorum pontificum canonice intrantium, persistentibus, autoritate apostolica, concedere valeat devotioni vestræ, tenore præsentium, indulgemus: sic tamen, quod idem confessor, de iis de quibus fuerit alteri satisfactio impendenda, eam vobis per vos, si supervixeritis, vel per hæredes vestros si tunc forte transieritis, faciendam injungat; quam vos vel illi facere teneamini, ut præferatur: et ne vos (quod absit) propter hujusmodi gratiam reddamini procliviores ad illicita in posterum committenda, nolumus, quod si ex confidentia remissionis hujusmodi aliqua forte committeritis, quod illa prædicta remissio vobis ullatenus suffragetur. Nulli ergo omnino hominum liceat hanc paginam nostræ concessionis et voluntatis infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare præsumperit, indignationem omnipotentis Dei, et beatorum Petri et Pauli Apostolorum ejus, se noverit incursum. Data Romæ, apud S. Petrum, Nonas Julii, pontificatus nostri anno secundo, et anno Domini mcccxc.

XLIX.

Pope Martin V.'s Expostulatory Letter upon the occasion of the Statutes of Præmunire.

Martinus Episcopus Servus servorum Dei, dilecto filio nobili viro Johanni, duci Bedford, salutem, et Apostolicam benedictionem. Quamvis dudum in regno Angliæ, jurisdictio Romanæ Ecclesiæ, et libertas ecclesiastica fuerit oppressa, vigore illius "execrabilis statuti," quod omni divinæ, et humanæ rationi contrarium est: tamen adhuc non fuit ad tantam violentiam prolapsum, ut in sedis Apostolicæ nuncios et legatos manus temere mitterentur; sicut novissime factum est in persona dilecti filii Johannis de Oisis palatii Apostolici causarum auditoris, et in præfato regno nuntii, et collectoris nostri, quem audivimus ex hac sola causa, quod literas Apostolicas nostro nomine presentabat, fuisse per aliquos de ipso regno carceribus mancipatum. Quæ injuria nobis, et Apostolicæ sedi illata, animum nostrum affectit admiratione, turbatione, et molestia singulari: miramur enim, stupeſcimus, et dolemus, quod tam fœdum et turpe facinus in illo regno commissum sit, contra sedem B. Petri, et nuncios ejus, præsertim cum literæ illæ nostræ, nihil aliud quam salutem animarum, honorem regni, et per omnia paternas et sanctas admonitiones continerent.

Fuitſenim semper etiam apud gentiles, qui nullam tenebant veræ fidei rationem, inviolabile nomen nuncii: atque legati etiamsi ab hostibus mitterentur semper salvi, et hodie apud Saracenos, et Turcas, a quibusdam tute destinantur legationes et literæ; etiamsi illis ad quos deferuntur molestæ sint et injuriöse. At nuncius noster, vir humanus et moderatus, et continua conversatione notissimus in regno Angliæ, quod devotione fidei, et cultu divino, se jactat omnes alias Christianas regiones superare, turpiter captus est, nihil impium, nec hostile deferens, sed literas salutare et justas. Sed reveſeantur aliquando illi qui sic contumaciter et superbe Ecclesiam Dei contemnent, et sedis Apostolicæ auctoritatem, ne super ipsos eveniat justa punitio ex Christi judicio, qui eam instituit, et fundavit. Caveant ne tot cumulatis offensis Deum irriterent ad ultionem, et tarditatem supplicii gravitate compensent. Non videbatur eis satis offendiſſe Deum statuta condendo contra vicarium ejus, contra Ecclesiam et Ecclesiæ Caput, nisi pertinaciter perseverantes in malo proposito, in nuncium Apostoli-

Fuller's
Ch. Hist.
book 4.
p. 148. ex
Biblioth.
Cotton.

730.

cum violentas manus injicerent? Quod non dubitamus tuæ excellentiæ, quæ Ecclesiæ et regni honorem diligit, displicere, et certi sumus quod si fuisses in Anglia, pro tua naturali prudentia, et pro fide, et devotione, quam geres erga nos, et Ecclesiam Dei, illos incurrere in hunc furorem nullatenus permisisses. Verum cum non solum ipsis qui hoc fecerunt, sed toti regno magna accederit ignominia, et diutius si perseverabit in errore, accessura sit major; generositatem tuam, in qua valde confidemus, exhortamur, et affectuose rogamus, ut circa hæc provideas, prout sapientiæ tuæ videbitur, honori nostro, et Ecclesiæ, ac saluti regni convenire. Datum Romæ apud sanctos Apostolos, vi. Cal. Junii, pontificatus nostri anno duodecimo.

L.

A Counterfeit Letter in Honour of Wickliff's Memory, pretended to be written by the University of Oxford.

Wood, Hist.
et Antiquit.
Univers.
Oxon. lib. 1.
p. 203.
A.D. 1406.

Universis S. Matris Ecclesiæ filiis ad quos presentes literæ pervenerint, Cancellarius Universitatis Oxon. coetusque magistrorum unanimus salutem in Domino sempiternam. Quia strenuorum facta, proborum laudes et merita, perpetuo non conducet silentio prætermitti, sed ut ipsa ratione continua in sui testimonium, et alienum exemplum, fama veriloqua prædicet in remotis: quia etiam sagax humanæ naturæ discretio (hominum crudelitate pensata) contra blasphemantes insultus alternos hunc modum referendi, et hunc clypeum defensionis instituit, ut cum vocale testimonium ubique adesse non potest, suppleat calamus per scripturam. Hinc est quod specialis benevolentiæ animum, ac teneritatis curam, super universitatis nostræ quondam filio Johanne Wickliff S. theologiæ professore secundum morum suorum exigentiam possidentes, corde, voce, et scriptura suas condiciones in vita laudabiles fuisse attestamus, cujus morum honestatem, sententiarum profunditatem, et redolentis famæ suavitatem, ad communem fidelium notitiam eo frequentius cupimus pervenire, quo suæ conversationis maturitas ac librorum assiduitas, ad Dei laudem, proximorum salutem, Ecclesiæ profectum, evidentius tendere dinoscatur. Vobis igitur patefacimus per presentes, quod ejus conversatio ab annis teneris in tempus sui obitus continuata, hic præclara extitit et honesta: ut num-

quam de ipso irritatio vel suspensionis sinistra ac infamiae nota respersa fuerat; sed in respondendo, legendo, praedicando, determinando, laudabiliter se habuit, velut fidei fortis athleta, singulos mendicitate spontanea Christi religionem blasphemantes, sacrae Scripturae sententiis catholice expugnavit. Nec fuerat praedictus doctor pro heretica pravitate convictus, aut per nostros praelatos post ejus humationem traditus incendiis. Absit enim quod nostri praelati tantae probitatis virum pro haeretico condemnassent; qui in logicalibus, philosophicis, et theologicis, ac moralibus et speculativis, inter omnes nostrae universitatis (ut credimus) scripserat sine pari. Quae omnium et singulorum notitiae ad quorum manus presentes literae pervenerint (ut dicti doctoris fama habeatur celebrior) perducere delectamus. In cujus rei testimonium, has literas nostras testimoniales sigillo nostro communi fecimus consignari. Dat^r Oxonii in domo nostrae congregationis quinto die Octobris, anno Dom. cxcxvi.

731.

LI.

King Henry IV.'s Decision, by virtue of which Archbishop Arundel and his Successors are declared to have a power for visiting the University of Oxford.

Et ulterius tam auctoritate sua regia, quam virtute submissionis praedictae sibi factae adtunc ibidem arbitratus fuit, ordinavit, consideravit, decrevit, et adjudicavit, quod praedictus archiepiscopus et successores sui in perpetuum habeant visitationem, et jurisdictionem in Universitate praedicta, tam cancellarii, commissariorum, quam procuratorum ejusdem Universitatis, qui pro tempore fuerint, necnon omnium doctorum, magistrorum, regentium et non regentium, ac scholarium ejusdem Universitatis quorumcumque, eorumque servientium, aliarumque personarum cujuscunque status et conditionis extiterint, et etiam ejusdem Universitatis, ut Universitatis, et quod cancellarius, commissarii, procuratores Universitatis praedictae, qui pro tempore fuerint, eorumque successores, et omnes alii in dicta Universitate pro tempore commorantes futuris temporibus eidem archiepiscopo, et successoribus suis in visitatione et jurisdictione Universitatis praedictae etiam ut Universitatis, in omnibus pareant et obediunt. Et quod nec dictus cancellarius, commissarii, nec pro-

A.D. 1411.
Fuller's
Ch. Hist.
book 4.
p. 164. ex
Rot. Tur.
Londin.

curatores Universitatis prædictæ, nec eorum successores, nec aliquis alius in Universitate prædicta aliquod privilegium seu beneficium exemptionis ad excludendum præfatum archiepiscopum, seu successores suos de visitatione et jurisdictione prædictis, in Universitate antedicta, colore alicujus bullæ sive alterius tituli cujuscunque, erga prædictum archiepiscopum seu successores suos, clament, habeant, seu vendicent, ullo modo in futurum. Et quod quotiens cancellarius, commissarii, vel locumtenens ipsorum, vel alicujus ipsorum, vel procuratores dictæ Universitatis qui pro tempore fuerint, vel eorum successores, sive aliquis eorum impedierint vel impedierit præfatum archiepiscopum vel successores suos, aut ecclesiam suam prædictam, aut ipsorum vel alicujus ipsorum commissarium, vel commissarios, de hujusmodi visitatione sive jurisdictione dictæ Universitatis, vel in aliquo contravenerint, vel aliquis eorum contravenerit, dictis, arbitrio, ordinationi, sive judicio per præfatum Ricardum nuper regem factis, sive arbitrio, judicio, decreto, considerationi vel ordinationi ipsius domini nostri regis Henrici in hoc casu; vel si aliquis dictæ Universitatis in futurum impedierit prædictum archiepiscopum, vel successores suos, aut ecclesiam suam prædictam, aut ipsorum, vel alicujus ipsorum commissarium, vel commissarios, de visitatione sua aut jurisdictione antedicta, vel in aliquo contravenerit dictis, arbitrio, ordinationi sive judicio per præfatum Ricardum nuper regem in forma prædicta, factis, vel arbitrio, judicio, decreto, considerationi vel ordinationi ipsius domini nostri regis Henrici: et quod cancellarius, commissarii, vel procuratores Universitatis prædictæ tunc non fecerint diligentiam et posse eorum ad adjuvandum dictum archiepiscopum vel successores suos, aut ecclesiam suam prædictam, seu commissarium vel commissarios suos, in hujusmodi casu, ac etiam ad puniendum hujusmodi impediētes et resistentes: quod totiens omnes franchises, libertates, et omnia privilegia ejusdem Universitatis in manus domini regis vel hæredum suorum seisiuntur, in eisdem manibus ipsorum domini regis vel hæredum suorum remansura, quousque prædictus archiepiscopus vel successores sui pacificam visitationem et jurisdictionem in forma prædicta, in dicta Universitate habuerit vel habuerint, et etiam totiens cancellarius, commissarii, et procuratores ejusdem Universitatis, qui pro tempore fuerint, et eorum successores, ac Universitas prædicta solvant, et teneantur

solvere ipsi domino nostro regi Henrico et hæredibus suis mille libras legalis monetæ Angliæ.

Concordat cum originali,

GULIELMUS RYLEY.

LII.

Charta Edvardi Quarti de Libertatibus Clericorum, et ne ipsi Clerici per Laicos arrestentur, aut in aliquo per Breve de Præmunire facere vexantur, &c.

King Edward IV.'s charter to secure the clergy from arrests in criminal causes, and the penalties of Præmunire.
Ex Biblioth. Cotton.
Cleopectra, F. 2.

Edvardus Dei gratia, Rex Angliæ et Franciæ, et Dominus Hiberniæ universis et singulis archiepiscopis, episcopis, abbatibus, prioribus, ducibus, comitibus, baronibus, justiciariis, vice-comitibus, escaetoribus, coronatoribus, præpositis, ministris, et omnibus ballivis et fidelibus suis, salutem. Sciatis quod cum inter alias causas multarum et ingentium calamitatum, quibus omnipotens Deus hoc regnum nostrum Angliæ peccatis exigentibus hactenus incessanter affligi sustinuit, id præcipue et sane veremur, et vere credimus existere indicatum, quod prælati et ministri Ecclesiæ Anglicanæ libertatibus, prerogativis, ac consuetudinibus Ecclesiæ universalis, quas violare absque pœna multiplicis censure nemo fidelis potest, non sunt pro se et rebus suis pacifice seu libere jam multis annis gaudere permitti: ne igitur nos, qui jam dudum divina opitulante gratia regiæ dignitatis apicem ad nos jure hæreditario pertinentis, consecuti sumus, iram ipsius Dei adversus nos exasperare videamur, cupientes de cætero non tam universalis ecclesiæ institutis firmiter inhærere, quam cæteris Christianis et catholicis principibus apud quos canones et decreta sanctorum patrum debite honorantur, juste ac unanimiter consentire. Ad honorem ipsius summi omnipotentis Dei, ac Christianæ fidei incrementum, et ut populus nobis subditus excommunicationis pœnas et Ecclesiæ censuras canonicas in futuro evitare, ac regnum nostrum Angliæ sub justis legibus ammodo prosperare valeant; nos, de gratia nostra speciali, et ex mero motu nostro dedimus et concessimus, ac pro nobis heredibus et successoribus nostris presenti charta nostra confirmavimus, venerabilibus patribus Thomæ Cantuariensi, et Wilhelmo Eboracensi, archiepiscopis, Thomæ London. Wilhelmo Winton,

732.

&c. et decanis, archidiaconis, officialibus, commissariis, rectoribus, vicariis, et eorum successoribus, presbyteris, capellanis, et omnibus clericis in sacris ordinibus constitutis, nec non religiosis personis in quacunque religione per sanctam Matrem Ecclesiam approbata, professis et conversis, quibuscunque presentibus et futuris ubicunque infra regnum nostrum Angliæ et partes Walliæ commorantibus; quod de cætero nullus justitiarius, vice-comes, escaetor, coronator, ballivus, aliisque officialibus, aut minister noster, vel heredum nostrorum, aut aliorum qui curias legales ex concessione nostra aut predecessorum nostrorum, aliave auctoritate tenent, inquirat, seu inquiri faciat de excessibus, felonis, raptibus mulierum, prodicionibus, aliisque quibuscunque transgressionibus perpetratis seu perpetrandis, per aliquem vel aliquos archiepiscopum vel archiepiscopos, episcopum vel episcopos, abbatem vel abbates, priorem vel priores, decanum vel decanos, archidiaconum vel archidiaconos, officarios, commissarios, rectores, vicarios, seu eorum successores, presbyteros, capellanos et clericos quoscunque infra sacros ordines constitutos, aut religiosas personas supradictas, presentes vel futuras: et si contingat aliquam duodenam questam in aliquem vel aliquos hujusmodi archiepiscopos, episcopos, prælatos, abbates, priores, decanos, archidiaconos, officarios, commissarios, rectores, vicarios, et eorum successores, presbyteros, capellanos, vel aliquos clericos in sacris ordinibus constitutos de cætero indictare, presentare, accusare, vel impetere, quod tunc ipse vel ipsi justitiarius, vice-comes, escaetor, coronator, præpositus, ballivus, minister, aliisque officialibus statim post receptionem hujusmodi indictionis, presentationis, accusationis, impetitionis, ipsam indictionem, accusationem, presentationem vel impetitionem, absque arrestatione, seu captione, incarceratione, vel clerici, vel clericorum hujusmodi indictatorum, presentatorum, accusatorum, vel impetitorum, bonorum aut cattellorum eorundem, archiepiscopis, episcopis, ac singulis prælatis, abbatibus, prioribus, decanis, archidiaconis qui in hujusmodi indictionis ordinariam habent jurisdictionem, transmittant. Et quod liceat ipsis ordinariis contra hujusmodi, sic indictatos, presentatos, accusatos, impetitos judicialiter secundum jura ecclesiastica procedere; ipsamque causam seu causas cum omnibus earum consequentibus dependentibus, emergentibus, incidentibus, et annexis, finaliter discutere; licebit etiam ipsis archi-

episcopis, episcopis, universis, ac singulis prælatis, abbatibus, prioribus, decanis, archidiaconis, officiariis, absque hujusmodi aliqua indictione, presentatione, accusatione, vel impetitione ab hujusmodi justitiariis, vice-comitibus, escaetoribus, coronatoribus, præpositis, ministris, ballivis, aliisve officiariis sibi transmissas indictiones, presentationes, accusationes, detectiones, impetitionesve privatas hujusmodi clericorum in sacris ordinibus constitutorum, nec non religiosarum personarum quarumcunque sibi subditarum, recipere, et super hujusmodi presentatione, indictione, accusatione, detectione vel impetitione, inquisitiones facere ulterius, atque secundum jura ecclesiastica usque ad finem negotii procedere, et id finaliter, terminare cum effectu; absque aliqua molestatione, vexatione, aut impedimento vel poena aliqua ex parte nostra vel heredum nostrorum quoquo modo fienda aut imponenda. Et si quis vel qui justitiariorum, vice-comitum, escaetorum, coronatorum, ballivorum, ministrorum nostrorum, seu heredum, aut successorum nostrorum, aut aliorum fidelium et subditorum nostrorum, contra præmissam voluntatem et concessionem nostram in tota vel in aliqua sua parte contravenire vel facere presumpserint, vel presumpserit, archiepiscopi, episcopi et cæteri iudices ecclesiastici in hac parte pro tempore existentes, in presumentem vel presumentes, hujusmodi, censuras ecclesiasticas contra hujusmodi personas jurisdictionem ecclesiasticam sic impediennes vel impedire procurantes, consentientes, et agentes, in canonibus et constitutionibus sanctorum patrum latas, declarare, et proferre, omittent nullatenus; neque a denunciatione, seu executione censurarum hujusmodi propter aliquam prohibitionem a cancellaria nostra sive de uno banco vel alio, aut aliqua curia quacunque nostra, heredum aut successorum nostrorum imposterum obtinendam, quovis modo supersedeant, sed plene eorum judicia secundum sacros canones exercent. Et si quis justitiariorum, vice-comitum, ballivorum, escaetorum, coronatorum aut ministrorum nostrorum seu aliorum quemcunque vere vel pretense malefactorem arrestavit, attachiavit, tenuerit, incarceravit, custodivit, et sic arrestatus, tentus, incarceratus, attachiatus vel custoditus se clericum dicens, ad ordinarium loci mitti vel remitti petat, sive ordinarius loci ipsum petat, aut repetat, statim et indilate, et ante causæ cognitionem seu examinationem de clericatu pretensaque de re spiritali, fiat quæstio, remittatur ad ecclesi-

asticum judicem : vocato tum judice seculari, aut alio ad cujus interesse dubitationis illius pertineat decisio : et si per judicem ecclesiasticum, clericus reperiatur, sub jurisdictione ecclesiastica judicandus remaneat, alias autem, ad judicem sive curiam temporalem omnino restituatur.

[The rest of the Charter relates to Tithwood. In the close, the witnesses and the date are mentioned.]

His testibus, præclarissimis fratribus nostris Georgio Clarenciæ, et Richardo Glocestriæ, ac charissimis nostris Johanne Norfolciæ, et Johanne Suffolciæ, ducibus ; necnon carissimis consanguineis nostris Richardo Warwici camerario Angliæ, Johanne Wigorniz thesaurario Angliæ ; Henrico Essexiæ, et Willielmo Cantii senescallo hospitii nostri, comitibus ; ac dilectis et fidelibus nostris Johanne Nevill de Montagu, Willielmo Hastings, de Hastings camerario nostro, et Johanne Fogg thesaurario hospitii nostri, militibus, et aliis. Datæ per manum nostram apud palatium nostrum Westmonasteriense, secundo die Novembris, anno regni nostri secundo.

LIII.

Pope Julius II.'s bull to king Henry VII. with reference to the holy war.
Ex Biblioth. Cotton. Cleopatra, C. vii.

Exemplar Bullæ Apostolicæ Sanctissimi Domini nostri Julii Papæ secundi, illustrissimo Regi Henrico Angliæ illius nominis septimo, pro expeditione in Turcam transmissæ.

Charissime in Christo fili noster, salutem et Apostolicam benedictionem. Literæ tuæ serenitatis quas nuper ad nos scripsisti de sancto proposito tuo juvandi viribus atque opibus Christianam rempublicam, deque studio ac diligentia quibus hac de causa usus es in devinciendis tibi fœdera et affinitatibus plerisque Christianis principibus, de desiderio etiam ut per nos reliqui principes reconcilientur ; oratores quoque illorum ad nos vocentur, ut de numero et genere copiarum, de belli ducibus, de tempore locisque eligendis, quibus perfidis Turcis et aliis Christiani nominis hostibus bellum inferendum sit decernatur, tam nobis gratæ et jocundæ fuerunt, ut non contenti eas decies relegisse, etiam in consistorio nostro secreto recitandas duxerimus. Non solum quia ad communitatem Christianam spectabant, sed ut laus tua esset illustrior. Quibus indicto consistorio recitatis, omnes venerabiles fratres nostri sanctæ Ecclesiæ Romanæ cardinales, certatim de tuis laudibus

loqui ceperant: alii sanctum propositum, alii animi magnitudinem, alii liberalitatem, summis et veris laudibus extollentes. Omnes denique in hoc convenientes, Majestatem tuam et actione gratiarum, et commendatione dignissimam esse. Quippe quæ non solum vires et opes suas in expeditionem tam sanctam offerat; sed reliquos principes ad id excitare non cesset. Itaque, fili charissime, dies ille tibi perennis gloriæ instar fuit, quo nostro et sanctæ Romanæ Ecclesiæ cardinalium ore tam egregie laudatus fuisti. Quod vero nos ad reconciliandos reliquos Christianos principes inter se dissidentes hortaris, facis fili charissime præ nimio desiderio expeditionis tam sanctæ nosque id in bonam partem accipimus. Sed neque tuis nec aliorum in hac re monitis exhortationibusve egemus: currimus enim sponte, et desiderio tuo omniumque aliorum prævenimus. Reminiscimur etenim reminiscimur, quantum Deo Redemptorique nostro præcæteris hominibus debeamus; qui non solum nos pretioso sanguine suo redemit, sed dignos etiam duxit, quos universo gregi fideli pastorem præesse vellet. Atque ideo ab initio nostri pontificatus omnes alias curas huic uni postponendas putavimus, ut concordibus et bene consentientibus Christianis principibus valida et necessaria expeditio in fidei nostræ sanctissimæ hostes fieri posset. Nostris literis, nostris monitiis, nostris nuntiis, charissimus in Christo filius noster Maximilianus Romanorum rex illustris, cum Ludovico Francorum regi Christianissimo, amicitiam fœdusque iniit. Nostroque assiduo hortatu Ferdinandus Aragonum et Siciliæ rex catholicus, cum ipso Christianissimo rege Francorum in gratiam rediit, fœdusque artissima affinitate connexum percussit: quod et ipse fatetur et attestatur. Nos etiam posteaquam alienatio animorum inter eosdem Romanorum et Francorum reges exorta est, non cessavimus eorum utrumque ad pristinam concordiam revocare. Misimusque hujus rei causa ad ipsum Romanorum regem dilectum filium nobilem virum Constantinum principem Macedoniæ, qui nihil aliud egit, nisi ut hujusmodi concordiam persuadeat; adeo ut sperari possit eos, nisi aliorum consilia obstiterint, pacem fœdusque esse renovaturos. Hæc nos, fili charissime, hactenus fecimus, nec ulli regi aut principi Christiano defuimus in subministrandis auxiliis, et subsidiis indulgentiarum et gratiarum, quæ ab hac sancta sede Apostolica possunt præstari; ut si qui ab infidelibus circumsepti sunt, ut Poloni, fines suos tueri, et illos repellere cum

victoria possent. Qui vero nomen Christianum navigatione, classibus, atque exercitibus, propagare cœperunt, prout rex ipse catholicus et illustris Portugalliae rex, victoriam prosequi commodius, et fortius valeant. De oratoribus vero omnium principum Christianorum ad nos convocandis, ut communi consensu expeditio ipsa concerni, dux, seu duces exercituum eligi, et reliqua belli necessaria constitui possint, assentimur serenitati tuae: sed sæpe alias hæc res a Romanis pontificibus prædecessoribus nostris fuit temptata. Novissime vero tempore piæ memoriæ Innocentii octavi, cui Deus omnipotens magnam occasionem rei benegerendæ fidelibus suis obtulerat: divisæ enim tunc erant vires Turcarum, et Zizimus hujus perfidi Bajazeti Turcarum tyranni frater germanus quem omnis veteranus exercitus sequebatur, apud sedem Apostolicam servabatur. Convenere oratores omnes sæpe de numero et genere copiarum, de classibus, de locis in quibus convenire deberent, quæ loca Turcarum primum invadenda essent, discussum fuit. Maximam vero difficultatem videbatur afferre electio ducis ipsius, cum incertum esset, quinam regum aut principum in tam sanctam expeditionem in propria persona esset iturus. Divisio etiam et attributio locorum, quæ a nostris reciperentur et Turcis subtraherentur, disputationem non mediocrem attulit. Omnibus rebus discussis remissi ad principes suos oratores prædicti, ut plena mandata referrent, nihil admodum responderunt. Quibus si tunc in tanta opportunitate difficile fuit expeditionem ipsam decernere, quid nunc futurum putemus, præsertim cum, pro dolor, ex eo tempore vires Turcarum, nostris ut remur peccatis, adauctæ sint; Christianorum autem aliqua parte attritæ? Nos tamen, fili charissime, literis, nunciis, legatis, principes Christianos ad hoc excitare atque inducere non cessabimus; pro re gratissima habituri si tua quoque majestas, ut pollicetur, eos ad id hortari non desinat. In expeditione tam sancta quam Deus temporibus nostris fieri concedat, non solum nostras et sanctæ Romanæ Ecclesiæ facultates sed et proprium sanguinem una cum eisdem venerabilibus fratribus nostris dictæ Ecclesiæ cardinalibus, cum opus fuerit exponemus; ut tandem terra illa sanctissima, qua Dominus et Salvator noster Jesus Christus nasci et pati pro redemptione nostra voluit, extrusa penitusque eliminata, impii Machometis spurcitia, Christiano nomini cultuique reddatur. Cum aliquod constitutum est de oratoribus convocandis, tuam

majestatem inprimis certiore reddemus. Deum interim oramus ut hunc animum tibi servet, et vires adaugeat quo possit plurimum in communem utilitatem, prout cupere se ostendit, conferre, et reipublicæ Christianæ prodesse. Data Romæ apud sanctum Petrum sub annulo piscatoris die nono Julii. Anno Domini millesimo quingentesimo septimo, pontificatus nostri anno quarto.

LIV.

735.

Litteræ Responsivæ ad Breve summi Pontificis.

BEATISSIME PATER,

Post humillimam commendationem, et devotissima pedum oscula beatorum, accepimus nuper ea qua decuit reverentia, bullam vestræ sanctitatis sub plumbo, nec non et breve ejusdem unius et consimilis formæ et tenoris, quibus intelleximus literas nostras quas paulo antea ad illum dederamus, super expeditione adversas Turcas, et alios Christiani nominis hostes, suscipienda, eidem vestræ sanctitati fuisse redditas, pergratasque et perjucundas extitisse; dignasque visas quæ in suo sacro consistorio recitarentur: non solum quia ad communem Christianam rempublicam pertinerent, sed etiam ut nostræ laudi esset magis consultum. Nec minus etiam cognovimus ex ejusdem vestræ sanctitatis relatione, qua nulla major aut dignior in terris haberetur, qualiter ubi literæ nostræ, hujusmodi in ipso consistorio essent recitatæ, reverendissimi patres sacræ Romanæ Ecclesiæ cardinales omnes certatim in nostras laudes converterentur, et hoc nostrum tam sanctum propositum summis præconiis extulerunt. Quæ sane omnia supra quam dici possit incredibili gaudio nos affecerunt, unde pro tanta laude, tantoque honore et commendatione quam vestræ sanctitati et sancto Romanorum patrum collegio, placuit nobis attribuere, quod non mediocri parti nostræ felicitatis sumus perpetuo ascripturi, quas majores possumus gratias vestræ sanctitati et ipsis reverendissimis patribus habemus, et posthac semper sumus habituri. Gaudemus equidem mirum in modum, pater sancte, quia sicuti hoc nostrum desiderium expeditionis sumendæ, ex mera nostra mente et animo est profectum, ita quoque tam benigne tamque gratanter a vestra sanctitate, et suo sacro senatu, sit approbatum et acceptum: potest autem constanter sibi polliceri vestra sanctitas, quod nos

*The king's
answer to
the pope's
bull.*

Ex Biblioth.
Cotton. ibid.

licet antea ad hoc sanctissimum bellum sumendum accensi plurimum fuerimus, nunc tamen perspecto ac cognito, quod in tam bonam partem vestra sanctitas et reverendissimi patres literas nostras acceperint: longe magis ac magis ad rem ipsam ferventiores ardentioresque reddimur: nec ullo unquam tempore ab hoc nostro proposito (vita comite) sumus recessuri, neque ullo pacto per nos stabit, quin ad laudem omnipotentis Dei et sanctæ Matris Ecclesiæ, istud sanctissimum bellum, quantocius fieri possit, assumatur. Qua in re nostram curam, studium ac diligentiam sumus proculdubio adhibitori, quo istud nostrum conceptum desiderium, Deo annuente, sub cujus vexillo, et vestræ sanctitatis foelici ductu, atque auspicio, sumus militaturi, ad optatum finem deducatur. Quod vero penes vestram serenitatem literis nostris intercesserimus pro reconciliandis Christianorum principum animis inter se dissidentibus, persuadeat sibi ac pro comperto habeat vestra sanctitas, nos non idcirco id scripsisse ob aliquam privatam alicujus principis causam neque etiam quod de vestra sanctitate ulla in parte, quod absit, diffideremus, quo minus suam sanctissimam ac propensissimam mentem ad pacandos Christianorum principum status, sua sponte semper habuerit, quod abunde nobis constet ut luce clarius pateat, summa virtus, bonitas ac pervigil cura vestræ sanctitatis, quam post suam ad Apostolatam assumptionem in sedandis regum ac principum litibus et controversiis, continue exercuerit atque indies exerceat: sed ea duntaxat de causa id scripsimus, ut nobis ad ipsam expeditionem tantopere aspirantibus, quæ non nisi pacatis prius Christianorum principum rebus bene aut satis utiliter sumi potest, vestra sanctitas suis sanctissimis monitis et adhortationibus hoc nostrum justum desiderium posset superaddere et ipsis principibus ostendere. Quantum autem ad difficultates hujus expeditionis sumendæ pertinet, quas vestra sanctitas commemorat; certe nostra sententia in tanto et tam sancto opere, ubi de communi utilitate, et dignitate fidei nostræ catholicæ, simul et animarum Christi fidelium salute agitur, si voluntas Christianorum principum, vel saltem majoris eorum partis, firma et stabilis sit et determinata, nullus sane labor, nullave difficultas abstertere aut retrahere omnino nos deberet. Quanquam enim infidelium vires, præsertim Turcarum, magnæ sint et formidabiles, Christianorum tamen robur et potentia in tam justa causa longe pre-

stantior ac validior est futura. Accedet etiam quod de Salvatoris nostri Jesu causa agitur, a quo victoria omnis manat. Cujus opem et auxilium nobis affuturum merito sperare deberemus; cæterum quia vestra sanctitas super electione ducis belli, sive expeditione ipsa sumenda, maximam olim difficultatem fuisse factam ostendit; cum incertum esset quinam regum aut principum, in tam sancta expeditione in propria persona esset iturus; divisionemque etiam et attributionem locorum qui a nostris reciperentur, et Turcis substraherentur, disputationem non mediocrem attulisse. Equidem, pater sancte, ut aperte dicamus quid in hac causa sentimus; videtur nobis ut in tanta re non unus sed plures belli duces Christiani principes constituentur. E quibus tres, si tot reperiri possint; vel ad minus duo reges e potentioribus personaliter cum suis copiis et classibus proficiscantur. Quanto namque plures reges belli hujus duces adinveniantur, qui hoc sanctum onus in sese et personis suis suscipiant; tanto nempe major auctoritas ac dignitas reipublicæ Christianæ, et fidei nostræ catholicæ accrescat. Majorque proinde hostibus infidelibus metus ac terror incutietur. Sicuti namque nato Domino nostro Jesu Christo tres reges ab oriente venerunt, ut suam Deitatem adorarent, ita quoque honorificentissimum esset et sempiterna laude dignum, si trinitas regum ab occidente veniens post expugnatum Turcarum tyrannum, sanctissimum Christi sepulchrum de manu infidelium forti manu eriperet, suamque presentiam corporaliter exhiberet. Quod si forsan plures reges non inveniantur, qui hoc sanctissimum bellum personaliter velint suscipere; si omnipotens Deus, in cujus manu sunt omnia posita, tanquam diem ultionis adversus suos hostes sumendæ presentem adesse suis fidelibus nunciaret, tantam nobis et universæ Christi fidelium reipublicæ gratiam hiis nostris diebus concederet, ut vestra sanctitas (quod non arroganter sit dictum, quandoquidem nullo pacto presumeremus illam ad tantum onus subeundum, in hac sua presertim ætate desiderari) hanc expeditionem in propria persona suscipere possit, nulla profecto esset difficultas, quin unus saltem rex adinveniretur, qui in sua propria persona esset iturus: quoniam nos etsi nullus alius princeps personaliter ire vellet hanc militiam sub vestra sanctitate perlibenti animo in nostra persona susciperemus: nec haberetur ullum prorsus obstaculum quominus hæc tam sancta expeditio quantocius assumeretur: dum-

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modo reliqui Christiani principes personaliter non euntes, vel saltem major eorum pars, condigne et rationabiliter contribuerint. In summa, pater sancte, ut libere loquamur, quicquid in hac sanctissima causa nos pro parte nostra sumus acturi, id in propria nostra persona proprioque nostro exercitu et classe sumus facturi, et non aliter nec alio modo, quandoquidem ex hiis quæ in persona nostra cum nostris militibus et navalibus copiis simus acturi, magis ac magis de divina clementia ac benignitate, ut certo putamus, simus promerituri. Postremo, quod attinet ad divisionem locorum ab infidelibus recipiendorum, non esset res ipsa tanti, ut non facile inter personaliter euntes posset concordari. Restat igitur ut vestra sanctitas sicut pie ac sancte est pollicita, suis literis, nunciis, et legatis, principes Christianos ad hanc expeditionem excitare non desinat. Quod et nos quoque pro parte nostra quotidie curamus, et sumus indies curaturi. Cumque de oratoribus convocandis fuerit constitutum nos certiores reddat, ut oratores nostros super inde instruere, et plena ac sufficienti auctoritate fulcire, atque ad diem per vestram sanctitatem limitandam, mittere valeamus. Inveniet siquidem vestra sanctitas in hoc tam egregio tamque divino opere sumendo pro Christianæ fidei defensione, simul et Christiani nominis ac status ampliacione proque istius sanctæ sedis Apostolicæ dignitate, necnon et Christi fidelium, qui tam diuturnæ et miserandæ servitutis iugo ab infidelibus premuntur, liberatione, nos pro parte nostra usque adeo promptos et ferventes, ut nemini Christiano principi, quod bona omnium venia sit dictum, in aliquo sumus cessuri: nec quovis pacto per nos manebit quin tam nobilis et sancta expeditio, sicuti prioribus nostris literis sumus testati, ad omnipotentis Dei et Christianæ fidei laudem et gloriam, quantocius fieri queat, assumatur. Ex manerio nostro de Woodstoke die octava Septembris, anno Domini millesimo quingentesimo septimo, et regni nostri vicesimo tertio.

I.

Vol. II.

1.

Pope Julius II.'s Bull for dispensing with Prince Henry's marrying Catharine of Spain.

Lord Herbert, 236.

Julius Episcopus Servus servorum Dei, dilecto filio Henrico charissimi in Christo filii Henrici Angliæ regis illustrissimi

nato, et dilectæ in Christo filiæ Catharinæ charissimi in Christo filii nostri Ferdinandi regis ac charissimæ in Christo filiæ nostræ Elizabethæ reginæ Hispaniarum et Siciliæ Catholicorum natæ, salutem et Apostolicam benedictionem. Romani pontificis præcellens autoritas concessa sibi desuper utitur potestate, prout personarum, negotiorum et temporum qualitate pensata, id in Domino conspicit salubriter expedire. Oblatæ nobis nuper pro parte vestra petitionis series continebat, quod cum alias tu filia Catharina, et tunc in humanis agens quondam Arthurus charissimi in Christo filii nostri Henrici Angliæ regis illustrissimi primogenitus, pro conservandis pacis et amicitiae nexibus et fœderibus inter charissimum in Christo filium nostrum Ferdinandum, et charissimam in Christo filiam nostram Elizabeth. Hispaniarum et Siciliæ catholicos regem et reginam, ac præfatum Angliæ regem matrimonium per verba legitime de præsentī contraxissetis, illudque carnali copula forsā consummavissetis; dominus Arthurus prole ex hujusmodi matrimonio non suscepta decessit; cum autem sicut eadem petitio subjungebat, ad hoc ut hujusmodi vinculum pacis et amicitiae inter præfatos reges et reginam diutius permaneat, cupiatis matrimonium inter vos per verba legitima de præsentī contrahere; supplicari nobis fecistis, ut vobis in præmissis de opportuniæ dispensationis gratia providere de benignitate Apostolica dignaremur: nos igitur qui inter singulos Christi fideles, præsertim catholicos reges et principes, pacis et concordiae amœnitatem vigere intensis desideriis affectamus, vos et quemlibet vestrum a quibuscunque excommunicationis, suspensionis, et interdicti, aliisque ecclesiasticis sententiis, censuris et pœnis a jure vel ab homine, quavis occasione vel causa, latis, si quibus quomodolibet innodati existitis, ad effectum præsentium duntaxat consequendum, harum serie absolventes, et absolutas fore censentes, hujusmodi supplicationibus inclinati, vobiscum aut impedimento affinitatis hujusmodi ex præmissis proveniente, ac constitutionibus et ordinationibus Apostolicis, cæterisque contrariis nequaquam obstantibus, matrimonium per verba legitime de præsentī inter vos contrahere, et in eo, postquam contractum fuerit, etiamsi forsitan hactenus de facto publice vel clandestine contraxeritis, ac illud carnali copula consummaveritis, licite remanere valeatis auctoritate Apostolica et tenore præsentium de specialis dono gratiæ dispensamus, ac vos et quemlibet vestrum, si con-

traxeritis (ut præfertur), ab excessu hujusmodi ac excommunicationis sententia quam propterea incurristis, eadem auctoritate absolvimus, prolem ex hujusmodi matrimonio sive contracto, vel contrahendo susceptam, forsan vel suscipiendam, legitimam discernendo. Proviso, quod tu (filia Catharina) propter hoc rapta non fueris; volumus autem quod si hujusmodi matrimonium de facto contraxistis, confessor, per vos et quemlibet vestrum eligendus, poenitentiam salutarem propterea vobis injungat, quam adimplere teneamini. Nulli ergo omnino hominum liceat hanc paginam nostræ absolutionis, dispensationis, et voluntatis infringere, vel ei ausu temerario contraire; si quis autem hoc attemptare præsumperit, indignationem omnipotentis Dei, ac beatorum Petri ac Pauli Apostolorum ejus se noverit incursum. Dat. Romæ apud sanctum Petrum anno incarnationis Dominicæ millesimo quingentesimo tertio, septim. Cal. Januarii, pontificatus nostri anno primo.

The Pope's Brief for this purpose is much of the same tenour, but with some supplemental clauses of advantage. There is a copy of it attested at Toledo by several persons of distinction.

II.

Prince Henry's Protestation against his Marriage with Catharine of Spain.

Biblioth.
Cotton.
Vitell. B.12
Lord Herbert, p. 249.

2.

In Dei nomine Amen. Coram vobis reverendo in Christo patre et domino domino Richardo Dei et Apostolicæ sedis gratia episcopo Wintoniensi, ego Henricus Walliæ Princeps, Dux Cornubiæ, et Comes Cestriæ, dico, allego, et in his scriptis propono, quod licet ego minorem ætatem agens et intra annos pubertatis notorie existens cum serenissima domina Catharina Hispaniarum regis filia matrimonium de facto contraxerim, qui quidem contractus quamvis obstante ipsa minore ætate mea de se jam invalidus, imperfectus, nullius efficaciæ, aut vigoris extiterit; quia jam annis pubertatis et matura ætate mea jam supervenientibus, contractus ipse per tacitum consensum, mutuam cohabitationem, munerum aut intersignium dationem seu receptionem, vel alium quemcunque modum, jure declaratum, forsan existimari seu videri poterit apparenter validatus aut confirmatus; ea propter ego Henricus Walliæ princeps

prædictus, jam proximus pubertati existens, et annos pubertatis attingens, protestor, quod non intendo eundem prætensum contractum per quæcunque per me dicta seu dicenda, facta aut facienda, in aliquo approbare, validare, seu ratum habere; sed nunc in præsentī, non vi, dolo, nec prece inductus, sed sponte et libere, nullo modo coactus, contra hujusmodi contractum reclamo, et eidem dissentio, voloque et omnino intendo ab eodem contractu matrimoniali prætenso, melioribus modo et forma, quibus de jure melius, validius, aut efficacius potero vel possim, penitus resilire, et eidem expresse dissentire, prout in præsentī contra eundem reclamo, et eidem dissentio. Protestorque, quod per nullum dictum, factum, actum, aut gestum, per me, aut nomine meo per alium quemcunque, quandocunque, aut qualemcunque, in posterum faciendum, agendum, gerendum, aut explicandum, volo aut intendo in præfatum contractum matrimonialem, aut in dictam dominam Catharinam tanquam sponsam aut uxorem meam consentire. Super quibus vos omnes testimonium perhibere volo, requiro, rogo, atque obtestor.

Per me HENRICUM WALLIÆ PRINCIPEM.

Lecta fuit et facta suprascripta protestatio, per præfatum serenissimum principem dominum Henricum, coram reverendo in Christo patre et domino domino Richardo permissione divina Winton. episcopo, judicialiter pro tribunali sedente, et me notarium infrascriptum ad tunc præsentem in ejus actorum scribam in hac parte assumente, et testium infrascriptorum præsentis; anno Domini 1505. Indictione octava, pontificatus sanctissimi in Christo patris et domini nostri Julii divina providentia eo nomine Papæ secundi anno secundo, mensis vero Junii die vigesimo septimo; quo die dominus serenissimus princeps, proximus pubertati, et annos pubertatis attingens erat, ut tunc ibidem asserebat; in quadam bassa camera infra palatium regium Richmondie, in parte occidentali ejusdem palatii situata. Super quibus omnibus et singulis præfatus serenissimus princeps me notarium prænominatum instrumentum conficere, et testes infra nominatos testimonium perhibere requisivit instanter et rogavit. In quorum omnium et singulorum fidem et testimonium, præfatus serenissimus princeps, supra, et testes, ut præmittitur, rogati et requisiti sua nomina

June 27,
A. D. 1505.

propriis manibus infra scripserunt. Ita est ut supra quod ego Johannes Read manu et signo meo manuali attestor.

GILES DOBNEY,
C. SOMMERSET,
THO. BOWTHAL,

NICHOLAS WEST,
HENRY MARNEY.

III.

Sententiæ quædam Responsionis Lutherianæ adversus Henricum Octavum Angliæ Regem.

Inter opera
Thomæ
Mori, edit.
Lovaniæ,
an. 1566.

Solum rhetoricatur gloriosus Rex—Sic dixisse satis fuit Defensori novo Ecclesiæ, et Numini recens in Anglia nato—Quando ergo larvam verbis larvatis ludere libuit in re tam seria et sacra, ego sine larva sed aperte dico regem Angliæ Henricum istum plane mentiri, et scurram levissimum mendaciis suis magis referre quam regem—Facessat mihi in hac re majestas regia, et mea humilitas, cum mendaci scurra loquor, regis titulo velato—Si stultus rex sic regiæ majestatis obliviscitur, ut mendaciis apertis in publicum audeat prodire, idque dum sacra tractat, cur mihi non pulchrum sit mendacia ejus rursus in os ejus regerere, ut si quam voluptatem concepit adversus divinam majestatem mentiendo, eam amittat, veritatem adversus suam majestatem audiendo?—Denique adeo stultum est hoc regis propositum, ut et communi hominum sensui repugnat.—Stulta, ridicula, et verissime Henriciana et Thomistica sunt hæc.—Hoc agit inquietus Satan, ut nos a Scripturis avocet per sceleratos Henricos, et sacrilegos Thomistas, &c.—Hæc sunt robora nostra, adversus quæ obmutescere coguntur Henrici, Thomistæ, Papistæ, et quicquid est fæcis, sentinæ, et latrinæ impiorum et sacrilegorum ejusmodi.—Indulgendum esset ei, si humano modo erraret: nunc quum prudens et sciens mendacia componat, adversus mei regis majestatem in coelis, damnabilis putredo ista et vermis, jus mihi erit pro meo rege majestatem Anglicam luto et stercore conspergere, et coronam istam blasphemam in Christum, pedibus conculcare.

IV.

Bulla Leonis Decimi Papæ, qua Henricum Octavum Angliæ Regem titulo "Fidei Defensoris" ornavit.

Leo Episcopus Servus servorum Dei, charissimo in Christo filio, Henrico Angliæ regi, Fidei Defensori, salutem et amplissimam benedictionem. Ex supernæ dispositionis arbitrio, licet imparibus meritis, universalis Ecclesiæ regimini præsidentes, ad hoc cordis nostri longe lateque diffundimus cogitatus, ut fides catholica, sine qua nemo proficit ad salutem, continuum suscipiat incrementum; et ut ea, quæ pro cohibendis conatibus illam deprimere, aut pravis mendacibusque commentis pervertere et denigrare molientium, sana (Christi fidelium præsertim dignitate regali fulgentium) doctrina sunt disposita, continuis proficiant incrementis, partes nostri ministerii et operam impendimus efficaces. Et sicut alii Romani pontifices prædecessores nostri catholicos principes, prout rerum et temporum qualitas exigebat, specialibus favoribus prosequi consueverunt, illos præsertim qui procellosis temporibus, et rabida schismaticorum et hæreticorum fervente perfidia, non solum in fidei serenitate et devotione illibata sacrosanctæ Romanæ Ecclesiæ immobiles perstiterunt, verum etiam tanquam ipsius Ecclesiæ legitimi filii, ac fortissimi athletæ schismaticorum et hæreticorum insanis furoribus spiritualiter et temporaliter sese opposuerunt: ita etiam nos majestatem tuam, propter excelsa et immortalia ejus erga nos et hanc sanctam sedem, in qua permissione divina sedemus, opera et gesta condignis et immortalibus præconiis et laudibus efferre desideramus, ac ea sibi concedere, propter quæ invigilare debeat, a grege dominico lupos arcere, et putrida membra, quæ mysticum Christi corpus inficiunt, ferro et materiali gladio abscindere, et nutantium corda fidelium in fidei soliditate confirmare. Sane cum nuper dilectus filius Johannes Clarke, majestatis tuæ apud nos orator, in consistorio nostro coram venerabilibus fratribus nostris sanctæ Romanæ Ecclesiæ cardinalibus, et compluribus aliis Romanæ curiæ prælatis, librum, quem majestas tua, charitate, quæ omnia sedulo et nihil perperam agit, fideique catholicæ zelo accensa, et devotionis erga nos et hanc sanctam sedem fervore inflammata, contra errores diversorum hæreticorum sæpius ab hac sancta sede damnatos nuperque per Martinum Lutherum suscitatos, et innovatos

Lord Herbert, who transcribed it from the original.

tanquam nobile et salutare quoddam antidotum composuit, nobis examinandum, et deinde autoritate nostra approbandum obtulisset, ac luculenta oratione sua exposuisset majestatem tuam paratam ac dispositam esse, ut, quemadmodum veris rationibus et irrefragabilibus sacræ Scripturæ ac sanctorum Patrum autoritatibus, notorios errores ejusdem Martini Lutheri confutaverit, ita etiam omnes eos sequi et defensare præsumentes totius regni viribus et armis persequatur : nosque ejus libri admirabilem quandam et coelestis gratiæ rore conspersam doctrinam diligenter accurateque introspexissemus ; omnipotenti Deo, a quo omne datum optimum et omne donum perfectum est, immensas gratias egimus, qui optimam et ad omne bonum inclinatam mentem tuam inspirare, eique tantam gratiam superne infundere dignatus fuit, ut ea scriberes, quibus sanctam ejus fidem contra novum errorum damnatorum hujusmodi suscitatore defenderes, ac reliquos reges et principes Christianos tuo exemplo invitares, ut ipsi etiam orthodoxæ fidei et evangelicæ veritati in periculum et discrimen adductæ, omni ope sua adesse opportuneque favere vellent. Æquum autem esse censentes, eos, qui pro fidei Christi hujusmodi defensione pios labores susceperunt, omni laude et honore afficere, volentesque non solum ea quæ majestas tua contra eundem Martinum Lutherum absolutissima doctrina, nec minori eloquentia scripsit, condignis laudibus extollere ac magnificare, autoritateque nostra approbare et confirmare, sed etiam majestatem ipsam tuam tali honore ac titulo decorare, ut nostris ac perpetuis futuris temporibus Christi fideles omnes intelligant, quam gratum acceptumque nobis fuerit majestatis tuæ munus hoc præsertim tempore nobis oblatum : nosque Petri, quem Christus in cælum ascensurus vicarium suum in terris reliquit, et cui curam gregis sui commisit, veri successores sumus, et in hac sancta sede, qua omnes dignitates ac tituli emanant, sedemus ; habita super his cum iisdem fratribus nostris matura deliberatione, de eorum unanimi consilio et assensu, majestati tuæ titulum hunc (viz.) Fidei Defensorem donare decrevimus, prout te tali titulo per præsentem insignimus ; mandantes omnibus Christi fidelibus, ut majestatem tuam hoc titulo nomenclent, et, cum ad eum scribant, post dictionem “ regi,” adjungant “ Fidei Defensori.” Et profecto hujus tituli excellentia ac dignitate, ac singularibus meritis tuis diligenter perpensis et consideratis, nullum neque

dignius, neque majestati tuæ convenientius nomen excogitare potuissemus : quod quoties audies et leges, toties propriæ virtutis optimique meriti tui recordaberis ; nec hujusmodi titulo intumesces, aut in superbiam elevaberis, sed solita tua prudentia humilior, et in fide Christi, ac devotione hujus sanctæ sedis, a qua exaltatus fueris, fortior et constantior evades, ac in Domino omnium bonorum largitore lætaberis, perpetuum hoc et immortale gloriæ tuæ monumentum posteris tuis relinquere, illisque viam ostendere, ut si tali titulo ipsi quoque insigniri optabunt, tali etiam opera efficere, præclaraque etiam majestatis tuæ vestigia sequi studeant : quam prout de nobis ac dominica sede optime merita est, una cum uxore ac filiis ac omnibus qui a te ac ab illis nascentur, nostra benedictione, in nomine illius a quo illam concedendi potestas nobis data est, larga ac liberali manu benedicentes. Altissimum illum, qui dixit, “per me reges regnant, et principes imperant,” et in cujus manu corda sunt regum, rogamus et obsecramus, ut eum in suo sancto proposito confirmet, ejusque devotionem multiplicet, ac præclaris pro sancta fide gestis ita illustret, ac toti orbi terrarum conspicuum reddat, ut judicium quod de ipsa facinus, eam tam insigni titulo decorantes, a nemine falsum aut vanum judicari possit : demum mortalis hujus vitæ finito curriculo, sempiternæ illius gloriæ consortem atque participem reddat.

Dat. Romæ apud sanctum Petrum, anno incarnationis Domini anno millesimo quingentesimo vicesimo primo, quinto Id. Octobris, pontificatus nostri anno nono.

X. Ego Leo X. Catholicæ Ecclesiæ Episcopus subscr.

Ego P. tit. S. Eusebii Presb. Cardinalis subscr.

Ego A. tit. Sanctæ Mariæ in trans Tiberim Presb. Cardinalis Bonon. subscr.

Ego Lan. Scopum quatuor Coronatorum Presb. Cardinalis manu propria subscr. &c.

24 alii Cardinales.

V.

Epistola Lutheri.

Invictissimo, Illustrissimoque Principi ac Domino, Domino Henrico Octavo, Regi Angliæ et Franciæ, Domino suo Clementissimo.

A.D. 1525.
Londini, in
Ædibus
Pynsonianis.
Anno Do-
mini mille-
simo quin-
gentesimo
vicesimo
sexto, secun-
da Decem-
bris. Cum
privilegio a
Rege in-
dulto.

4.

Gratiam et pacem in Christo Jesu Domino et Salvatore nostro Amen. Quanquam vereri merito debuerim, serenissime rex, illustrissimeque princeps, litteris majestatem tuam tentare; ut qui mihi conscius maxime sum, gravissime offensam esse majestatem tuam libello meo; quem non meo genio, sed incitantibus iis, qui majestati tuæ parum favebant, stultus et præceps edidi: tamen spem et ausum mihi facit non modo regia illa clementia, sic mihi literis et verbis indies cantata a quamplurimis: ut cum mortalem sese noverit, immortales inimicitias servaturam esse non credam: verum etiam quod fide dignis testibus didici, libellum sub majestatis tuæ nomine in me editum non esse regis Angliæ, ut videri volebant, subdoli sophistæ; qui majestatis tuæ titulo abusi, non senserunt quam sibi ipsis periculum in regia ignominia pararent: præsertim illud monstrum et publicum odium Dei et hominum cardinalis Eboracensis, pestis illa regni tui: ita et nunc vehementer pudefactus, metuum oculos coram majestate tua levare; qui passus sim levitate ista me moveri in talem tantumque regem, per malignos illos operarios, præsertim cum sim fex et vermis, quem solo contemptu oportuit victum aut neglectum esse. Accidit ad hæc, quod me serio compulit, quantumvis abjectum, scribere, majestatem tuam coepisse favere Evangelio, et non parum tædere istius generis hominum perditorum. Hoc sane nuncium fuit vere Evangelion, i. e. lætum nuncium cordi meo. Quare his literis prosterno me pedibus majestatis tuæ quantum possum humillime; et per Christi crucem et gloriam oro et obsecro, majestas tua dignetur sese submittere, et veniam donare in quibuscunque majestatem tuam læsi: sicut Christus oravit, et dimittere debita nos quoque invicem jussit. Deinde si majestati tuæ non videbitur contemnendum, ut alio libello publico palinodiam cantem, et nomen majestatis tuæ rursus honorem; det mihi clementem aliquam significationem, tum in me mora non erit ulla, faciam illud libentissime. Quamvis enim sim homo nihili ad tuam celsitudinem comparatus; tamen, non parum fructus Evangelio et gloriæ Dei hinc sperare lice-

bit; si mihi ad regem Angliæ scribendi de Evangelii causa fuerit copia facta. Interim majestatem tuam (ut cœpit) Dominus augeat; ut pleno Spiritu et obediat et faveat Evangelio; nec sinat aures regias et animum occupari pestilentibus Syrenum vocibus, quæ nihil nisi hæreticum Lutherum vociferari norunt. Tua vero majestas apud se cogitet, quidnam mali possim docere, qui aliud nihil doceam quam fide Jesu Christi Filii Dei, pro nobis passi et suscitati, salvos fieri oportere; sic ut testantur Evangelia et Epistolæ Apostolorum. Hoc enim est caput et fundamentum doctrinæ meæ, super quod postea ædifico, et doceo charitatem erga proximum, obedientiam erga politicos magistratus, tum crucifixionem corporis peccati, ut itidem præscribit Christiana doctrina. Quid in his capitibus doctrinarum mali est? Expectetur tamen, audietur et judicetur primum. Cur damnor neque auditus neque convictus? Porro quod abusum et tyrannidem pontificum taxo; qui alia quam ista prædicta capita, imo contraria, docent; interim pompæ, ventribus, imo regnis et principatibus omniumque opibus innitentes, nonne id ipsum et vulgus sentit et damnat, atque ipsimet coguntur confiteri? Cur non emendant sese, et recta docent, si odio et correptione liberi esse volunt? Videt majestas tua serenissima quanti principes in Germania, quot politiæ, deinde quot viri sapientissimi mecum faciant; et (Deo gratia) indemnatum cupiant. Quorum numero utinam Christus majestatem tuam ascribat, et ab istis animarum tyrannis separet. Quid mirum vero si Cæsar et aliqui principes in me sæviunt?

Nonne ut Psalmus secundus dicit, "Adversus Dominum et Christum suum fremunt gentes, meditantur populi, conspirant reges terræ, et conveniunt principes?" Ut mirandum potius sit si aliquis principum ac regum Evangelio faveat.

Huic miraculo in majestate tua quam opto ex totis medullis aliquando gratulari. Et ipse Dominus (quo præsentem et volente hæc scribo) co-operetur verbis meis, ut rex Angliæ brevi fiat perfectus discipulus Christi, Evangelique professor, tum Lutheri clementissimus dominus Amen. Responsum (si visum fuerit majestati tuæ) expecto clemens et benignum. Wittenbergiæ, primo Septembris anno Domini 1525.

Regiæ majestati tuæ subjectissimus MARTINUS
LUTHERUS manu propria.

VI.

Paper-office. Fisher, Bishop of Rochester's Opinion of King Henry VIII.'s Marriage, in a Letter to Cardinal Wolsey.

A.D. 1527. *Salva sit tua celsitudo; jam consultis omnibus istis, ut aiunt, mutis magistris, quos ad manum habere potui, diligenterque singulorum excussis opinionibus, et rationibus expensis, comperio, quod et tuæ sublimitati nuper scripsi, magnum inter eos esse dissidium, pluribus asserentibus id esse divino jure prohibitum; aliis contra pertinaciter affirmantibus id divino juri nullo pacto repugnare. Et profecto pensitatis utrinque rationibus æqua lance, mihi videor perspicere facilem enodationem omnium argumentationum, quas illi producunt, qui negant id divino jure licere; aliorum vero non ita facilem, ut et nunc mihi persuasissimum sit non posse quavis ratione solida comprobari; quod prohibitum sit divino jure (quod hodie vim habet) ne viz. frater defuncti fratris absque liberis, conjugem accipiat. Quod si verum sit, et etiam non dubito certissimum esse, quis jam, attenta plenitudine potestatis, quam Christus pontifici contulit, negare queat posse pontificem dispensare, quatenus ob aliquam arduam causam, frater fratris sui defuncti sine liberis, uxorem sibi copulet? cæterum ut concedam pares utriusque partis esse rationes, et neutras alteris præponderare, sed velut in æquilibrio stare suspensas, quum possint utrinque pari facilitate solvi, me tamen istud impelleret, ut sim in partes pontificis inclinior atque propensior, quod sciam istud ab utraque parte tributum amplitudini potestatis pontificiæ, nimirum ut ambiguos Scripturarum locos, auditis in ea re theologorum et jurisperitorum sententiis, liceat interpretari; alioquin frustra dixisset ei Christus, Quicquid solveris in terra erit solutum in coelis, et quicquid alligaveris in terra erit alligatum in coelis. Quum igitur apertissime constat pontificem haud semel facto suo declarasse, quod liceat in prædicto casu dispensare cum secundo fratre, hoc solum me vehementer moveret ad assentiendum, etiamsi potiores rationes et probationes non attulisset, sed essent, ut dixi, pares in assertionibus suis.*

Verum nunc cum plane perspiciam et rationes efficaciores esse pro parte eorum, qui pontificis potestatem in hac re tuentur, quumque præter hoc, advertam quibus verbis et quam plenissime tradita sit pontifici potestas a Christo, quum et

denique clarissimis testimoniis intelligam ejusmodi dispensationem effectui sæpius commendatam, nullus omnino scrupulus mihi superest, quin istud pontifici liceat, nimirum ut cum fratre dispensat, quatenus alterius fratris absque liberis defuncti, conjugem accipiat. Habet itaque paucis tua celsitudo quid ego super hac re sentiam, jam reliquum est ut celsitudini tuæ prosperam et longævam optem incolumitatem.

Ex Roffa.

Per me Sublimitati, Devinctissimum,

Jo. Roff.

VII.

5.

Pope Clement VII.'s Commission to the Cardinals Wolsey and Campegio, for trying the Cause of the Divorce.

Clemens Episcopus Servus servorum Dei, dilectis filiis Thomæ sanctæ Cæcilie Eboracens. et Laurentio sanctæ Mariæ in Trans Tyberim de Campegio nuncupatis presbyteris cardinalibus, in regno Angliæ nostris et Apostolicæ sedis legatis de latere, salutem et Apostolicam benedictionem. Sane ad aures nostras ex plurimorum fide dignorum relatione frequenter perlatum est, de validitate illius matrimonii quod charissimus in Christo filius noster Henricus Angliæ rex illustris, Fidei Defensor, et dominus Hiberniæ, cum charissima in Christo filia nostra Catharina regina, sedis Apostolicæ dispensatione prehensa, contraxisse et consummasse dignoscitur, subortam nuper in partibus illis quæstionem, quæ licet in publicum Ecclesiæ judicium deducta hactenus non fuerit, causæ tamen tam magni gravisque momenti exitus, viz. quem justitia et æquitas dederit, animos isthic omnium sic habet suspensos, ut celerem ac maturam definitionem requirat, non sine maximo discrimine protelandam. Quum itaque nos, quos ad justitiam in judicio et veritate, omnibus ex æquo administrandam servum servorum Deus constituit, facti veritatem per nos ipsos inquirere, ac causam hanc examinare non valemus: considerantes præterea, quod factum, ex quo jus oritur, illic certius quam hic, tum etiam citius expeditiusque cognosci poterit; cupientesque in regno illo, sedi Apostolicæ semper devotissimo, omnem dissensionum materiam extinguere, et dulcissimum illum pacis amorisque intestinum concentum, felicissimamque cha-

Lord Herbert, p. 233.
An. 1528.
6 Id. Junii.

ritatis harmoniam, multos jam annos constantem retineri, ac in posterum conservari, dictamque proinde super præfato matrimonio causam in judicio justitia et veritate decidi, certumque, firmum, validum, et maturum, quod maxime expedit, finem sortiri: circumspectioni vestræ ad audienda ea omnia et singula, quæ dicti matrimonii vires, dispensationisve Apostolicæ cujuscunque coram vobis producendæ aut exhibendæ validitatem aut invaliditatem contingant, deque et super omnibus illis ac aliis quibuscunque materiis, allegationibus, et causis dictum matrimonium aut dispensationem concernentibus seu tangentibus cognoscendum, necnon in causa dicti matrimonii et validitatis dispensationis, vocatis partibus, summarie et de plano, sine strepitu et figura judicii procedendum, dispensationes quascunque Apostolicas, prout, illas validas, efficaces et sufficientes, invalidasve inefficaces, minus sufficientes, surreptitias, aut arreptitias, aut alio quocunque modo enervatas inveneritis, tales illas esse, et haberi debere, pronunciandum et declarandum, dictumque matrimonium similiter, si ab alterutra parte petatur, prout animo conscientięque vestræ juris ratio persuaserit, validum, justum et legitimum ac firmum esse, aut e contra invalidum, injustum et illegitimum, nullumque fuisse et esse; pro valido, justo, legitimo et firmo, aut e contra invalido, injusto et illegitimo, nulloque haberi debere, definiendum, sententiandum et decernendum; ac in eventum improbatæ dispensationis et declarationis nullitatis matrimonii, summarie et de plano, sine strepitu aut figura judicii, ut præfertur, sententiam divorcii judicialiter proferendam. Denique tam Henrico regi quam Catharinæ reginæ præfatis ad alia vota commigrandi licentiam in Domino, ac facultatem tribuendam, vobis conjunctim, et altero vestrum nolente aut impedito, divisim, citra omnem personæ aut jurisdictionis gradum, omni recusatione et appellatione remotis, vices et omnem auctoritatem nostram committimus et demandamus. Vos etiam conjunctim, et altero vestrum nolente, aut impedito, divisim, ut præfertur, ad ea omnia, quæ in hac commissione continentur, duntaxat exequenda, expedienda, ac plenæ finalique executioni demandanda, vices gerentes nostras, etiam ex certa nostra scientia creamus ac deputamus, ita ut in præmissis, quod nos auctoritate et potestate nostra facere possemus, id etiam vos facere possitis. Vobis quoque tam prolem ex primo matrimonio susceptam, si id ita expediri visum fuerit,

quam ex secundo matrimonio suscipiendam, legitimam decernendi, pronuntiandi et promulgandi, legitimitatem etiam utriusque prolis censuris et poenis ecclesiasticis quibuscunque per modum decreti aut sanctionis perpetuæ muniendi et vallandi omnibus validioribus et efficacioribus modis et formis, quæ de jure concipi et excogitari poterint, ex certa nostra scientia autoritate Apostolica, tenore præsentium, potestatem pariter et auctoritatem concedimus; non obstantibus conciliis generalibus, Apostolicis constitutionibus et ordinationibus editis, cæterisque contrariis quibuscunque., Dat. Viterbii anno incarnationis Dominicæ millesimo quingentesimo vicesimo octavo, sexto Id. Junii, pontificatus nostri anno quinto.

VIII.

A decretal Bull drawn up in England, and transmitted to Rome: the purport of it is, to prevent a Reversal of the Legate's Sentence in the business of the Divorce.

Dilecto, &c. salutem et Apostolicam benedictionem. Sedis Cotton. Libr. Vitell. B. 12. Feb. 1527. Apostolicæ suprema autoritas potestatis suæ copiam sic omnibus exhibet, ut pro causarum, personarum et temporum qualitate, remedia singulis ad ædificationem subministrare, et causas ad canonum sanctiones expensas æquissima certissimaque lance trutinans, laborantibus conscientiis et fluctuantibus consulere, summamque ipsis tranquillitatem statuere contendat. Cum itaque clarissimus in Christo filius noster Henricus octavus Angliæ rex, Fidei Defensor, et dominus Hiberniæ sua nobis conquestione monstraverat, quod ab annis hinc decem et octo nobilem mulierem Catharinam Ferdinandi quondam regis Hispaniarum filiam, illustris principis Arthuri fratris sui defuncti quondam uxorem, hortatu, suasu et conciliis eorum, quibus se totum in prima regni sui administratione crediderat, quadam sedis Apostolicæ dispensatione prætensa, sibi bona fide matrimonio copulasset, ac ab eo tempore hactenus cum eadem tanquam cum uxore cohabitasset, prole interim fæminea suscepta, et superstite ex eadem, ac jam tandem post desperatam prolem masculam, de stabilienda ac confirmanda ejusdem filiæ suæ successione cogitaret, lustratisque scriniis dictam super matrimonio præfato dispensationem faceret proferri, doctorumque virorum judicio examinari, cujus quidem dispensationis tenor sequitur, et est talis, &c.

6. Quidam sanctionum et canonum ecclesiasticorum consulti datum dictæ cum narratis ejusdem conferentes, aliasque nonnullas circumstantias, quæ tum ante dictæ dispensationis impetrationem, quæ post eandem impetratam intervenerant, ponderantes, tum quod causa, quæ in bulla prætensa est, pacis continuandæ, viz. quæ ipsa tum coaluerat fœderibus percussis firma constiterat, mutuis etiam populorum commerciis aucta, nullum sui violationis timorem incutiens, qui justus et non omnino vanus dici possit, nec urgentissima proinde nec evidentissima videretur, qualem *prohibitionis* relaxatio exigat et requirat; tum quod preces falsæ erant, dum narrabatur prædecessori nostro, eundem charissimum filium nostrum tum cupere cum charissima dicta domina Catharina contrahere matrimonium, ad hoc ut pacis fœdera diutius continuarentur, cum, eo tempore, ut asserit, impetrationem prorsus ignoraret, et per ætatis immaturitatem, duodecimum, viz. annum non excedentis, affectum hujusmodi inducere non potuerat; tum quod *protestatione* postmodum interveniente, et vim renuntiationis habente, dispensatio tunc per renuntiationem extincta videretur: denique quod principes inter quos fœdera conservarentur, ante mandatam executioni bullam, fatis concesserant: bullam ipsam tum ex surreptionis et abreptionis vitiis, quam aliis etiam de causis minus validam et efficacem esse renuntiarent et retulerunt, scrupulum dicti regis animo et conscientiæ gravem injicientes, eamque illi opinionem inducentes, ut matrimonium prædictum non consistere, neque hactenus jure constituisse judicaret. Porro autem, cum frequentius apud se, ut asserit, animo volverit, et meditaretur, quales exitus hujusmodi nuptiæ præfatæ habuerint, ex quibus, viz. aliquot partus masculi imperfecti parumque vitales prodire, atque ideo se omni spe successoris prorsus destitui, quo suam familiam ad paucos redactam conservaret, occurrente simul memoriæ divina interminatione, quæ fratris sui turpitudinem revelanti, et illius uxorem contra S. sancta Dei præcepta accipienti, inscribitur, præsertim ubi dispensatio non interveniat, quæ ex omni sua parte valeat et consistat; nonnullis etiam affirmantibus nostram non eatenus potestatem patere, ut in ea specie gratiam faciamus, etiamsi, ut scribit, de nostræ potestatis plenitudine non dubitat, juste duntaxat et legitime interpositæ, quam summam in terris agnoscit et veneratur, ad improbandas illas nuptias, tantum undique videt consensum, ut illas animo ab-

horreat, nec aliorum rationibus possit dissuaderi, quin abominandas eas judicet, et divinæ majestati odiosas. Denique idem charissimus filius noster debita cum instantia nos precibus sollicitaverit, quatenus personæ suæ, et regni nobis semper devotissimi, rationem habentes, maturo judicio ab angustiis liberemus, quibus se usu præsentis matrimonii per legem conscientiæ privatum, nec ad aliud per leges publicas antè sententiam admissum, vehementer conqueritur comprehensum esse.

Nos igitur considerantes quot, quanta, tum in sedem Apostolicam, tum in fidem Christianam, officia præ cæteris exhibuerit, promeritus eo nomine ut nostræ vicissim potestatis gratiam uberrimam et promptissimam referat, aliamque illius causam atque privati esse, ex qua nimirum pendeat salus plurimorum, nec posse dictæ causæ decisionem diutius proferri et protelari sine gravi discriminis periculo, dicti vero principis cruciatu maximo, quæ nos ex gratitudinis vicissitudine minuere debeamus, qua decet festinatione procedi facientes, ut ad finem celerrime perducatur: de consilio fratrum nostrorum, quorum in hac causa tam gravi atque urgenti iudicium adhibuimus, ac etiam eorum, quos et sacræ theologiæ peritissimos, et juris ecclesiastici callentissimos, desuper consulendos, audiendosque putavimus, quoniam vitia et defectus prædictos ejusmodi esse comperimus, quæ, pensata præfatæ prohibitionis natura, vires ipsius bullæ merito enervarent; quo magis viz. attestamur et palam facimus, quanta animi cura et sollicitudine præfati charissimi filii nostri conscientiam hujusmodi scrupulis et difficultatibus impediri, implicari, atque vexari sustineamus, cum alioquin te dilectum filium nostrum cardinalem Eboracensem, in illa provincia et Apostolicæ sedis legatum, a præclaris animi tui virtutibus, ad justitiam vero et æquitatem propensissimo sincerissimoque affectu nobis sic commendatum et cognitum habeamus, ut tibi merito soli omnem nostram auctoritatem, cum in hac causa expedienda, tum etiam in reliquis committendam putaverimus, dignissimus quidem nobis existimatus, qui partes nostras tractes, et vices absentis possis supplere: te tamen dilectum filium (scilicet cardinalem Campegium) a nobis specialiter isthuc destinandum duximus, ut conjunctim in hac causa procedere possitis, ita nihilominus propter incertum casuum eventum, mandatam auctoritatem temperantes, ut altero vestrum nolente, aut impedito, alter omnia exequi,

et causam fine debito valeat terminare. Vobis, ut præfertur, conjunctim, et, ut præfertur, divisim, ad cognoscendum et procedendum summarie et de plano, sine strepitu et figura judicii, ac de et super viribus dictæ bullæ sive dispensationis inquirendum, ipsamque bullam sive dispensationem, si de vitiis prædictis, aut eorum aliquo tali probationi constiterit, quæ licet alias minus clara videatur, animo tamen religioso, conscientiaque vestræ, aut ejus vestrum, qui in hac causa processerit, divisim, ut præfertur, satisfecerit, et verisimile apparuerit, vel pacem, quæ in bulla prætenditur, sine hujus matrimonii contractu consistere posse et, continuari, vel dictum charissimum filium nostrum, ut allegabatur, non cupiisse contrahere matrimonium ad hoc, ut pacis fœdera conservarentur; vel denique principes in bulla nominatos, inter quos fœdera per illud matrimonium continuatum iri allegabatur, ante mandatam executioni bullam fatis concessisse, ipsam nullam, minus validam, ex surreptione et obreptione inefficacem, irritam, et inanem fuisse semper, et esse pronuntiandam et declarandam; matrimonium autem prædictum, quod ejusdem virtute consistere videtur, nullum simul, ac minus legitimum esse, ac pro nullo minusque legitimo haberi debere, decernendum: ipsos porro contrahentes ab omni contractu matrimoniali hujusmodi liberos, a consortio conjugali, quod hactenus observarunt, separari debere, sentiendum et autoritate nostra separandum. Denique, utrumque ad contrahendum cum alio, vel alia, novum conjugium ineundi, licentiam et facultatem tribuendum et concedendum, citra omnem recusationem, aut appellationis interpositionem, committimus et demandamus vices nostras; ac vos conjunctim, aut altero vestrum nolente, ut præfertur, aut impedito divisim, ad præmissa exercenda et expedienda, plenæ finalique executioni demandanda, vicarios nostros et nostrum vicarium, ut si quo alio nomine uti poterimus, quod demandatam in prædictis autoritatem ampliaret, cum omni potestatis plenitudine, tam absolutæ, quam ordinariæ, quatenus vel ad præfati matrimonii congruam dissolutionem, vel novi contrahendi firmam constitutionem, expedire videbitur aut pertinere; ita etiam ut autoritate præsentis commissionis nostræ, cum omnibus illis canonibus, ad validiorem efficaciorumque processus vestri firmitatem poteritis dispensare, quæcunque eidem obstare putabuntur, omnemque defectum, quacunque ex causa contingentem, nostræ autoritatis interpo-

sitione, dispensatione Apostolica supplere possitis et valeatis tam prolem ex primo matrimonio susceptam, propter bonam fidem parentum, si ita expedire visum fuerit, legitimam decernendo, pronuntiando, et promulgando, quam ex secundo matrimonio suscipiendam; legitimitatem etiam utriusque prolis, censuris et poenis ecclesiasticis quibuscunque, per modum decreti aut sanctionis perpetuæ muniendo et vallando, omnibus validioribus et efficacioribus modis et formis quæ de jure concipi et excogitari poterunt, facimus, constituimus, et ordinamus per præsentem: et quicquid per vos conjunctim, ut præfertur, aut divisim procedentes, per cognitionem judicariam et summariam, aut extrajudicariam, processus quoscunque faciendo, pronuntiando aut promulgando, eosdemve executioni mandando, dispensationes quascunque aut gratias in præmissis concedendo et faciendo, et generaliter in aliquibus prædictorum potestatem nostram, vel ordinariam, vel absolutam exercendo, ut præfertur, actum, gestum, decretum, dispensatum, pronuntiatum, mandatum, aut executum fuerit, id omne et totum, quum primum poterimus, ratum, gratum, et firmum habentes, in validissima et efficacissima forma confirmabimus, nec eorum aliqua unquam infirmabimus, aut infringemus, aut eorum alicui contraveniemus, nec interim revocabimus; declarantes etiam et protestantes per præsentem, nostræ intentionis esse, ut præsens commissio vel delegatio auctoritatis nostræ, perpetuo effectu gaudeat, et usque ad finalem prædictorum conclusionem extremumque terminum duret et consistat, non obstantibus quibuscunque decretis, sententiis, mandatis, rescriptis, literis aut brevibus in contrarium, deinceps per nos tanquam irritatoriis, derogatoriis, aut revocatoriis præsentis concessionis nostræ, emittendis, destinandis aut promulgandis: quibus omnibus expresse per præsentem derogantes, et illa omnia pro nullis, cassis, irritis et inanibus reputantes, ac talia esse ac haberi, istisque omnino anteriora judicari, præsentia vero posteriora, et post illa repetita, emissa, et destinata censi, ac tanquam ultima ac posteriora, contrariis sic deinceps emittendis derogare debere, et cæteris contrariis non obstantibus quibuscunque.

IX.

Pope Julius II.'s Brief to dispense with Henry Prince of Wales for marrying Catharina, Relict to his Brother Prince Arthur.

Dec. 26.
A.D. 1503.
Lord Herbert, p. 238.

Julius Papa II. Dilecte fili et dilecta in Christo filia salutem et Apostolicam benedictionem. Romani pontificis præcellens autoritas concessa sibi desuper utitur potestate, prout (personarum, negotiorum et temporum qualitate pensata) id in Domino conspiciit salubriter expedire. Oblatæ nobis nuper pro parte vestra petitionis series continebat, quod cum alias tu filia Catharina, et tunc in humanis agens quondam Arthurus, charissimi in Christo filii nostri Henrici Angliæ regis illustrissimi primogenitus, pro conservandis pacis et amicitie nexibus et foederibus, et inter præfatum Angliæ ac charissimum in Christo filium nostrum Ferdinandum regem, et charissimam in Christo filiam nostram Elizabeth. reginam, catholicos Hispaniarum et Siciliæ, matrimonium per verba legitime de præsententi contraxeritis, illudque carnali copula consummaveritis; quia tamen dominus Arthurus, prole ex hujusmodi matrimonio non suscepta, decessit, et hujusmodi vinculum pacis et connexitatis inter præfatos reges et reginam, ita firmiter non verisimiliter perduraret, nisi etiam illud alio affinitatis vinculo confoveretur et confirmaretur: ex his et certis aliis causis, desideratis matrimonium inter vos per verba legitime de præsententi contrahere: sed quia desiderium vestrum in præmissis adimplere non potestis, dispensatione Apostolica desuper non obtenta; nobis propterea humiliter supplicari fecistis, ut vobis providere in præmissis de dispensationis gratia et benignitate Apostolica dignaremur. Nos igitur, qui inter singulos Christi fideles, præsertim catholicos reges et principes, pacis et concordie amoenitatem vigere intensis desideriis affectamus, his et aliis causis animum nostrum moventibus, hujusmodi supplicationibus inclinati, vobiscum, aut aliquo impedimento affinitatis hujusmodi ex præmissis proveniente non obstante, matrimonium inter vos contrahere, et in eo, postquam contractum fuerit, remanere libere et licite valeatis, autoritate Apostolica per præsententes dispensamus: et quatenus forsan jam matrimonium inter vos de facto, publice vel clandestine contraxeritis, ac carnali copula consummaveritis, vos, et quemlibet vestrum ab excessu hujusmodi, ac excommunicationis sententia, quam propterea incurristis, eadem autoritate absolvimus; ac

etiam vobiscum ut in hujusmodi matrimonio, sic de facto contracto, remanere, seu illud de novo contrahere, inter vos libere et licite valeatis similiter dispensamus; prolem ex hujusmodi matrimonio, sive contracto, sive contrahendo, suscipiendam legitimam decernendo. Volumus autem, si hujusmodi matrimonium de facto contraxistis, confessor per vos, et quemlibet vestrum eligendus, poenitentiam, quam adimplere teneamini, propterea vobis injungat. Datum Romæ, apud sanctum Petrum. sub annulo piscatoris, die xxvi. Decembr. millesimo quingentesimo tertio, pontificatus nostri anno primo.

SIGISMUNDUS.

X.

Articuli Pardonationis Reverendissimi Patris Thomæ Cardinalis, &c. Or the Articles in Cardinal Wolsey's Pardon, 21 Hen. VIII. Feb. 12.

Omnimodæ prodictiones tam majores quam minores; prodictionum mesprisiones et aliæ mesprisiones.

Legum subversiones, et earum illicitæ extensiones.

Outlagarum quæcunque.

Intrusiones et ingressus in temporalia archiepiscopatum, episcopatum, abbatiarum, prioratum, sive aliarum domorum religiosarum infra regnum Angliæ.

Provisiones bullarum circa executionem officii legationis de latere, contra formam statuti de provisoribus.

Concesso quod præfatus Thomas cardinalis omni pardonatione et gratia gaudeat populo regni Angliæ in aliquo parlamento concessa.

Donatio archiepiscopatus Eboracensis cum pertinentiis.

Cotton. Libr.
Julius I.
fol. 27.
A. D. 1529.

XI.

8.

King Henry VIII.'s Letter to Cardinal Wolsey to sign a Commission for conveying the disposal of several Benefices in his gift to the King.

HENRY REX,

Most Reverend Father in God, right trusty and right well beloved, we greet you well; and send unto you at this time by our trusty and well beloved chaplain, Doctor Incent, your

Biblioth.
Cotton.
Titus, B. i.
fol. 59.
March 29,
A. D. 1529.
An original.

Vicar General, a commission touching the gift of benefices and offices within your dioces of Winchester, being at our denomination and appointment devised by our council : wherefore we will and desire you to subscribe the same commission, and to seal it with your seal : and thereupon deliver the same to the said vicar general, which he shall use none otherwise but according to our commandment and pleasure. Yeaven under our signet at our mannor of the Moor the nine and twenty day of March.

XII.

Bishop Tunstall's Monition to the Archdeacon of London to bring in Tyndall's Translation of the New Testament.

Tunstall,
Episc. Lon-
don. Regist.
fol. 45.
A.D. 1526.

Cuthbertus, permissione divina Londinens. Episcopus, dilecto nobis in Christo archidiacono nostro Londinens. seu ejus officiali salutem gratiam et benedictionem. Ex pastoralis nostri debito ea quæ ad subjectorum nostrorum periculum, et maxime ad internecionem animarum eorundem tendere dinoscuntur; salubriter propellere, et totis viribus extirpare astringimur. Sane ex fidedignorum relatione, ipsaque rei evidentia, ad nostram jamdudum pervenit notitiam, quod nonnulli iniquitatis filii, ac Lutheranae factionis ministri, quos summa excæcavit malitia, a via veritatis et orthodoxæ fidei declinantes, sanctum Dei evangelium, in vulgare nostrum Anglicanum subdola versutia transferentes; ac nonnullos hæreticæ pravitatis articulos, et opiniones erroneas, perniciosas, pestíferas, scandalosas, et simplicium mentium seductivas intermiscuentes, illibatam hactenus sacræ Scripturæ majestatem, suis nefariis et tortuosis interpretationibus prophanare, et verbo Dei S. sancto, et recto sensui ejusdem callide et perverse abuti temptaverint. Cujus quidem translationis nonnulli libri impressi, quidam cum glosis, quidam sine glosis (ut accepimus) dictum pestiferum et perniciosum virus in vulgari idiomate in se continentes, in promiscuam nostrarum diocesis et jurisdictionis Londinens. multitudinem sunt dispersi; qui sane gregem nobis commissum, nisi citius provideatur, tam pestifero veneno, et mortifero pravitatis hæreticæ morbo, proculdubio inficient et contaminabunt, in animarum nobis commissarum grave periculum, et divinæ majestatis gravissimam offensam. Unde nos Cuthbertus antedictus, de prædictis magnopere dolentes, et antiqui

hostis calliditati, quam suis satellitibus, ad animarum subditorum nostrorum interemptionem, subministrat obviam ire, cura-que pastoralis super grege nobis commisso, diligenter invigilare, ac remedia opportuna præmissis adhibere cupientes; vobis conjunctim et divisim committimus, ac firmiter in virtute sanctæ obedientiæ qua nobis tenemini, injungendo mandamus, quatenus auctoritate nostra moneatis ubilibet commorantes quatenus infra triginta dierum spatium, quorum quidem dierum decem pro primo, decem pro secundo, et decem pro tertio, et peremptorie, sub excommunicationis pœna, ac criminis hæresios suspicionis inquirendæ, eis assignamus; omnes et singulos hujusmodi libros, translationem Novi Testamenti in vulgarem linguam factam continentes, ad nos, seu nostrum in spiritualibus vicarium generalem inferant et realiter tradant: et quid in præmissis feceritis, nos, aut vicarium nostrum hujusmodi infra duos menses a die data præsentium debite certificare personaliter, vel per litteras vestras patentes, una cum præsentibus ante sigillatas, non omittatis, sub pœna contemptus. Dat. sub sigillo nostro 18 die mensis Octobris anno Domini 1526. et consecrationis nostræ anno quinto.

XIII.

The Decree of the University of Oxford against the lawfulness of the Marriage of King Henry VIII. with Catharine of Spain.

Nos Johannes Cotisford hujus almæ Universitatis Oxoniæ commissarius, autoritate et consensu hujus totius venerabilis convocationis, declaramus, decernimus, et definimus, majorem partem omnium doctorum magistrorum, tam regentium quam non regentium, singularum facultatum hujus almæ Universitatis Oxon. concessisse, et consensum pariter et assensum suum præbuisse, quod determinatio, definitio, et responsio ad quæstionem nobis ex parte serenissimi domini regis nuper propositam, per illos triginta tres doctores et baccalaureos, ad id per facultatem theologiæ nuper electos, sive per majorem partem eorum facienda, habeatur, censeatur, et reputetur, pro definitione, determinatione, et responsione totius hujus Universitatis; et quod liceat dominis commissario et procuratoribus, sigillum commune Universitatis, litteris super præfata determinatione per eosdem concipiendis, apponere.

April 4,
1530.
Lord Herbert, p. 324.

XIV.

An Address of the Lords Spiritual and Temporal to the Pope upon the subject of the King's Marriage.

July 30,
1530.
Lord Herbert, p. 303.

9.

Sanctissimo in Christo patri et domino domino Clementi, divina providentia ejus nominis Papæ septimo, osculatis pedibus omni cum humilitate felicitatem precamur, et optamus perpetuam, in Domino nostro Jesu Christo. Beatissime pater, tametsi causa matrimonii, invictissimi et serenissimi principis domini nostri Angliæ Franciæque regis Fidei Defensoris et domini Hiberniæ, multis ipsa per se argumentis vestræ sanctitatis opem imploret atque efflagitet, ut illud quam celerime finem accipiat, quem nos, summo cum desiderio, jamdiu desideravimus, et longa, sed hactenus vana spe a vestra sanctitate expectavimus; non potuimus tamen committere ut rebus nostris regniq[ue] statu, ex hac litis protelatione in tantum discrimen adducto, omnino sileremus, sed quod regia majestas nostrum caput, atque adeo anima omnium nostrum, et in cujus verbis nos, tanquam membra conformia, justa compagine capiti coherentia, multa solitudine vestram sanctitatem precati, et frustra tamen precati sumus, id nos literis nostris doloris gravitate adducti seorsim et separatim flagitarem[us]. Sufficere sane aliqui debuisset, causæ ipsius justitia eruditissimorum virorum calculis passim probata, celeberrimarum academiarum suffragiis judicata, ab Anglis, a Gallis, ab Italis, prout quisque apud eos cæteros eruditione antecellit, pronunciata et definita, ut sanctitas vestra etiam nemine petente et reclamantibus quibuscunque, suo ore, suaque autoritate aliorum sententias confirmaret; præsertim cum causæ definitio eum regem, illud regnum respiciat, quod de sede illa Apostolica tam multis nominibus bene meritum sit: precibus autem nihil opus fuisset, nisi quatenus homines doloribus indulgent, et preces non necessarias interdum effundere solent. Cæterum quum apud sanctitatem vestram nec ipsius causæ justitia, nec beneficiorum acceptorum recordatio, nec optimi principis tam assiduæ et diligentes preces quicquam profecerint, ut obtineatur a vobis quod paternæ pietatis officium exigebat; adauctus supra modum in nobis miseriarum ac calamitatum recordatione doloris cumulus singula etiam reipublicæ nostræ membra vocalia facit, et verbis et literis conquestionem edere compellit. Nam quæ tandem infelicitas, ut quod dux academix nostræ, quod

academia Parisiensis, quod multæ aliæ academix in Gallia, quod passim doctissimi eruditissimi et integerrimi viri domi forisque verum affirmant, et pro vero defendere tam verbis quam calamo se paratos ostendunt, id pro vero non obtineat a sede Apostolica ille princeps cujus ore atque præsidio sua stat sedis Apostolicæ autoritas a tam multis ac populis etiam potentissimis tam valide impetita, quibus partim ferro, partim calamo, partim voce atque autoritate sæpius in ea causa restitit; et tamen solus illius autoritatis beneficio non fruitur, qui curavit ut esset qua alii fruerentur. His quid responderi posset non videmus, et malorum interim pelagus reipublicæ nostræ imminere cernimus, ac certum quoddam diluvium comminari, aut quod diluvio par est multa cæde ac sanguine restinctam olim successionis controversiam denuo reducere. Habemus enim summis virtutibus principem, certissimo titulo regem, indubitatam regno tranquillitatem daturum, si sobolem ex corpore masculam nobis reliquerit; cujus in vero matrimonio sola spes esse potest: matrimonio autem vero tantum illud nunc obstat, ut quod de priore matrimonio tot docti viri pronunciant, id utique vestra sanctitas sua autoritate declaret. Hoc autem si non vult, et qui pater esse debeat, nos tanquam orphanos relinquere decrevit, et pro abjectis habere, ita certe interpretabimur, nostri nobis curam esse relictam, ut aliunde nobis remedia conquiramus. Sed ad hoc ne adigamur, sanctitatem vestram oramus ut regi nostro in tam sanctis desideriis adesse, et sine mora aut dilatione, favere velit, vehementer obsecramus, ut iudicio suo comprobet quod viri doctissimi affirmant, per illam quam nobis ex pastoralis officio debet pietatem ex mutuo cordis affectu obtestamur, ne claudantur paterna viscera, tam obsequentibus, tam benevolis, tam morigeris filiis. Causa regis majestatis nostra cujusque propria est, a capite in membra derivata, dolor ad omnes, atque injuria ex æquo pertinet, omnes in ejus majestate compatimur, quibus facile sanctitas vestra mederi posset, nec posset modo, sed ex paterna pietate deberet. Quod si vel id non fecerit, vel facere quidem distulerit sanctitas vestra, hactenus sane conditio nostra erit miserior, quod tam diu sine fructu frustra laboratum sit, sed non omni remedio prorsus destituta. Sunt quidem remedia extrema semper duriora, sed morbum omnino utcunque levare curat ægrotus, et in malorum commutatione non nihil est spei; ut si minus succedat quod bonum est, se-

quatur saltem quod est minus malum, et id etiam temporis cursu facile tolerandum. Ista autem ut secum consideret sanctitas vestra iterum atque iterum rogamus, in Domino Jesu Christo, cujus vices in terris se gerere profitetur, idque ut nunc factis conetur ostendere; ut veritatem doctissimorum hominum, vigiliis ac laboribus inventam, probatam et confirmatam, ad Dei laudem et gloriam sua sententia et pronuntiatione velit illustrare. Interim vero Deum Optim. Maxim. quem ipsam esse veritatem certissimo testimonio cognoscimus, comprecabimur; ut vestræ sanctitatis consilia ita informare atque dirigere dignetur, ut, quod sanctum, justum ac verum est, a vestra sanctitatis autoritate obtinentes, ab omni alia assequendæ veritatis molestia liberemur.

1. *Archiepiscopi.*

T. Cardinalis Ebor. Willielmus Cant.

2. *Duces.*

Tho. Norfolk. Charles Suffolke.

3. *Marchiones.*

T. Dorset. H. Exeter.

4. *Comites.*

Willielmus Arundel.	H. Worcester.
Jo. Oxenford.	Tho. Rutland.
H. Northumberland.	Hen. Cumberland.
Rauf. Westmorland.	Robert Sussex.
Geo. Shrewsbury.	Geo. Huntington.
Henr. Essex.	G. of Kildare.
Edw. Darby.	

5. *Episcopi.*

Robert Cicestrens.	Joh. Lincoln.
Joh. Carloliens.	Rich. Menevensis.

6. *Barones.*

Hen. Mountagu.	Jo. Audley.
G. Rochford.	Hen. Scroope,
Willielm. Weston.	Tho. Dacres.
E. Bergavenny.	Tho. La-ware.

Williwm. Dacre.
 Tho. Barkley.
 Hen. Morley.
 Geo. Cobham.
 Rich. Latimer.
 Edw. Stourton.
 Jo. Fitzwarren.
 Jo. Semers.
 Jo. Lumley.

Williwm. Mountjoy.
 Chris. Coniers.
 Hen. Daubeney.
 T. Darcy.
 T. Montegle.
 Williwm. Sandys.
 Jo. Husey.
 Andr. Windsor.

10.

7. *Abbates.*

Jo. of Westminster.
 Jo. of Bury St. Edmund.
 Rich. of Glaston.
 Will. of Gloucester.
 Tho. of Abendon.
 Hugh of Reading.
 Edw. of Yorke.
 Jo. of Peterburgh.
 Jo. of Ramsey.
 Jo. of Croyland.
 Ro. of Thorney.
 Ro. of Selby.
 William Abbot of Bardney.

Will. Abbot of St. Bennet
 de Hulmo.
 Tho. Abbot of St. John by
 Colchester.
 Jo. Abbot of Hyde.
 Clem. Abbot of Evesham.
 Rich. Abbot of Malmsbury.
 Ric. Abbot of Winche-
 comb.
 Rob. Abbot of St. Crucis
 de Waltham.
 Jo. Abbot of Cirester.
 Hen. Abbot of Teuxbury.

8. *Milites et Doctores in Parlamento.*

Wiliam Fitz-William.
 Hen. Guildford.
 Steph. Gardiner.
 Jo. Gage.
 William Kingstone.
 Bryan Tuke.

Rich. Sacheverell.
 Rich. Sampson.
 Edw. Lee.
 Rich. Woolman.
 Jo. Bettat.

XV.

*The Pope's Answer to the Remonstrance of the Lords Spiritual
 and Temporal, &c.* Sept. 27,
 A.D. 1530.
 An original.

Venerabilibus fratribus Archiepiscopis et Episcopis, ac dilectis
 filiis Abbatibus, nobilibusque viris, Ducibus, Marchionibus,
 Comitibus, Baronibus, Militibus ac Doctoribus Parlamenti
 Regni Angliæ, Clemens Papa VII.
 Venerabiles fratres et dilecti filii, salutem et Apostolicam

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benedictionem. Multa sunt in vestris literis die 13 Julii datis ac nobis superioribus diebus redditis quæ gravius accepissemus, nisi ea affectui, studioque vestro erga charissimum in Christo filium nostrum, regem vestrum condonanda arbitraremur. Itaque sedato animo ad eas literas respondebimus, tantum ut doceamus quam immerito de nobis conquesti sitis, neque oportuisse tantum a vobis tribui privato erga regem sive officio sive amoris vestro, ut nos duobus ingrati adversus serenitatem suam animi, ac denegatæ justitiæ, gravissimis nominibus incusaretis. Nos quidem agnoscimus regem vestrum ea omnia quæ in vestris literis enumeratis, ac multo etiam plura promeritum, manebitque perpetuo non modo apud nos sed ad posteros nostros memoria ejus in sedem Apostolicam meritorum. Fatemurque nos non modo pontificiæ personæ quam gerimus, sed privato nostro nomine tantum serenitati suæ debere, ut nunquam beneficiis parem gratiam relaturi videamur. Sed quod attinet ad controversiam quæ de matrimonio est inter serenitatem suam et Catharinam reginam, tantum abest, ut denegando justitiam, regis spem frustrari voluerimus, ut ultro ab altera parte, tanquam plus æquo in partes majestatis suæ propensi, reprehendamus. Sed, ut paulo altius perpetuum animi nostri erga regem vestrum tenorem repetamus: cum primum, tribus ferme ab hinc annis, regii oratores ad nos hanc causam detulissent; animi nostri propensionem potius quam juris rigorem secuti, commisimus illam dilectis filiis nostris Thomæ cardinali sanctæ Cecilie Eboracen. in regno Angliæ legato, et Laurentio cardinali sanctæ Mariæ in Transtiberim Campegio a nostro latere misso, presbyteris cardinalibus in regno atque adeo domi ipsius regis, audiendam et terminandam; satis fecimusque tum quantum in nobis fuit, serenitatis suæ voluntati. Verum cum regina suspectum illud in partibus judicium habere cepisset, et a gravaminibus sibi, ut dicebat, per eosdem legatos illatis ad sedem Apostolicam appellasset procuratoribus etiam ad dictam appellationem proseguendam constitutis, ne tum quidem desiderari passi sumus nostram erga ipsum regem benevolentiam. Nam tametsi causæ hujusmodi appellationis commissio negari non poterat, tamen concordia potius quam via juris terminari hanc controversiam cupientes, omnes moras in commissione dictæ causæ appellationis concedenda interposuimus, eo prætextu, quod esset de majoribus causis, meritoque ad consistorium rejicienda. Habita

vero deinde super hoc cum venerabilibus fratribus nostris S. R. E. cardinalibus, aliquoties consultatione, fuit aliquamdiu dilatatum negotium; sed tandem unanimi omnium cardinalium voto conclusum est, commissionem causæ appellationis hujusmodi per nos negari non posse. Itaque commissa est audienda et subinde in dicto consistorio nobis referenda et terminanda. Nam cum omnibus in rebus considerate procedere debemus, tum in hac potissimum quæ regias et illustres personas tangit, et in quam totius Christianitatis oculos coniectos esse videmus. Post quæ deinde nullus regius legitimus procurator comparuit, qui aut scripto aut verbo de juribus regis doceret; ideoque factum, ut lis adhuc decidi non potuerit. Quippe cum ex actis et productis, non ex amore et benevolentia decidenda sit. Quamobrem nulla causa est, cur nobis ascribatis litis quam dicitis protelationem; de qua miramur vos queri, cum illam oratores ipsius regis alibi, et præsertim Bononiæ, a nobis petierint et impetrarint, invitissimis quidem et reclamantibus reginæ procuratoribus. Cum itaque nunquam per nos steterit, quin hæc lis, omnibus rebus mature discussis, terminaretur, non videmus quibus rationibus nitatur querimonia vestra; nisi forte id dicitis, tot esse regis erga nos ac sedem Apostolicam beneficia, ut quoquo modo in ejus voluntatem causam diffinire oportuerit; id enim ostenditis satis aperte cum dicitis, in causa, ab eruditissimis viris Anglis, Gallis, Italia, ac tot academiarum suffragiis probata, et jam nemine petente, ac reclamantibus quibuscunque, sententiam a nobis ferri debuisse. Qua in re non parum prudentiam et modestiam vestram requirimus. Nam non videmus, quibus rationibus freti postuletis, ut, in causa maximi momenti, sententiam feramus, nemine petente, ac cæteris reclamantibus, cum adversa pars continue opponat totius Christianitatis scandalum, tot annorum matrimonium ad supplicationem clarissimorum regum Henrici Patris, ac Ferdinandi Catholici, ex dispensatione hujus sanctæ sedis constitutum; præterea filiam extantem, et plures reginæ partus; et adversus opiniones doctorum, quas pro vobis allegatis, multorum etiam ipsi doctorum, gravissimorumque virorum judicium, et pro se facientia divini juris mandata adducant; argumentis haustis non modo ex Latinis, sed etiam ex uberrimis in hac re Hebræorum fontibus; nobis tamen in neutram adhuc partem inclinantibus, sed æquas aures præbentibus, cum causam hanc gravissimam, et ad totam rempublicam

Christianam ac posteritatem omnem pertinere existimemus. Nam ex iis quas pro vobis facere doctorum hominum atque Universitatum opiniones scribitis, paucae admodum venerunt in manus nostras, nobis non legitime, nec regis nomine, ab oratoribus praesentatae; illaeque nudae tantum illorum hominum opiniones, nullis adscriptis rationibus cur ita sentiant, nullaque sacrorum canonum et Scripturae, quae tantum spectare debemus, autoritate subnixae. Postulare autem; ut, in regis gratiam, quicquam temere atque inconsiderate statuamus, nec aequum nec vestra sapientia dignum est; nam tametsi multum serenitati suae debemus, tamen in iudicando pluris facere cogimur eum, per quem reges regnant, et principes imperant, et veri patris officium est prospicere, ne nimia facilitate plus aequo indulgeamus filiis nostris, irretiremus enim non solum nostram, sed serenitatis suae conscientiam, immatura sententia; quae non recte prolata, pernicioso universae Christianitati noceret exemplo. Nam quod regno vestro diluvium impendere dicitis, id multo magis timendum esse arbitraremur, si sententiam, quae recta iusticiae via ac ratione ferenda est, praecipitarem; ac nimio erga regem vestrum amore proveci, a iustitia atque officio nostro discederemus. Masculam autem prolem, non vos magis optatis quam nos serenitati suae: atque utinam tanto regi similes filios, ac non regni tantum, sed etiam virtutum haeredes haberet Christiana respublica: sed pro Deo non sumus, ut liberos dare possumus. Quod autem dicitis nolle nos auctoritate nostra secundum veritatem de priore matrimonio declarare, quod tot docti viri pro ipso rege pronuncient, vellemus nos quidem omnibus in rebus serenitati suae gratificari; posse autem ita debemus, ut non destruamus; destrueremus enim si quid contra juris ordinem statueremus, etiamsi oculis nostris exploratissima res esset. Caeterum quod est in extremo literarum vestrarum, nisi petitionibus vestris satisfacerimus, vos existimaturos vestri vobis curam esse relictam, atque aliunde remedia conquisituros, nec vestra prudentia nec religione dignum consilium, ab eoque ut abstineatis, paterna charitate vos monemus. Nec tamen ulla medici culpa esset, si aegrotus, curationis impatiens, quicquam in se statuerit, quod adversaretur saluti. Nos quidem quae recte ac sine pernicie dari possunt, remedia non denegamus; "Quis enim infirmatur, et ego non infirmor? Quis scandalizatur, et ego non uror? Os meum patet ad vos, filii dilectissimi," et vos ut filios charis-

simos monemus : sed nec regem ipsum cujus causam agitis, probaturum fuisse credimus, ut ita scriberetis : cognitam enim et perspectam habemus ejus probitatem, ut ne ultro quidem oblatum, quod æquum non esset, accepturum fuisse putemus : et tametsi vestrum omnium intercessionem magnificimus, tamen noster erga serenitatem suam amor non patitur se cujusque cohortatione precibusque excitari : nec meminimus frustra unquam serenitatem suam a nobis petiisse quod cum nostro et hujus sanctæ sedis honore concedere possemus, paremque ostendemus perpetuo voluntatem. Denique quod ad hanc causam attinet, nos quidem nullam ejus expeditioni moram interponemus, quin cum instructa, et partes auditæ fuerint, terminetur : nobis summopere cupientibus vestrum regem, et ipsam reginam, nosque ipsos molestissimo hoc negotio liberari. Hoc tantum a serenitate sua et devotionibus vestris requirimus, ne plus, ob summa ejusdem regis beneficia, a nobis exigatis, quam quod sine offensa Dei persolvere possimus : cum in cæteris omnia a nobis expectare possitis, quæ habita officii ac personæ quam gerimus, et justitiæ ratione expectari debent. Datum Romæ apud sanctum Petrum, sub annulo piscatoris, die xxvii. Septembris, 1530.

XVI.

Sir Gregory Cassali's Letter to the King, mentioning a dispensation of the Pope ; seeming to import an Indulgence for the having two Wives.

Superioribus diebus Pontifex secreto, veluti rem quam magni facere, mihi proposuit conditionem hujusmodi concedi posse vestræ majestati, ut duas uxores habeat. Cui dixi nolle me provinciam suscipere ea de re scribendi, ob eam causam quod ignorarem an inde vestræ conscientiæ satisfieri posset, quam vestra majestas imprimis exonerare cupit. Cur autem sic responderem illud in causa fuit, quod ex certo loco, unde quæ Caesariani moliuntur aucupari soleo, exploratum certumque habebam, Caesarianos illud ipsum quærere et procurare : quem vero ad finem id quærant pro certo exprimere non ausim : id certe totum vestræ prudentiæ considerandum relinquo

Paper-office.
Sept. 18,
A.D. 1530.

XVII.

The Clergy's Grant of an Hundred Thousand Pounds to the King for Release of the Premunire.

Dr. Atterbury's Rights, &c. of an English Convocation, Appendix, p. 512. March 22, A.D. 1530-1. Journal of the Convocation, fol. 38.

12.

Excellentissimo et illustrissimo principi et domino nostro, domino Henrico Octavo, Dei gratia Angliæ et Franciæ regi, Fidei Defensori, et domino Hiberniæ invictissimo et potentissimo, Willielmus permissione divini Cantuariensis Archiepiscopus totius Angliæ Primas, et Apostolicæ sedis Legatus, salutem in eo per quem reges regnant et principes dominantur. Vestræ regię celsitudini per præsens publicum instrumentum, sive has literas testimoniales, sigillo nostro sigillatas, ac signo, nomine et subscriptione manus publici notarii subscripti, scribe nostri in hac parte assumpti, subscriptas et signatas tenore præsentium significamus et notum facimus, quod nos Willielmus archiepiscopus prædictus, ac suffraganei nostri, cæterique prælati et clerus nostræ provinciæ Cantuariensis, in sacra synodo provinciali, sive prælatorum et cleri provinciæ ejusdem convocatione in ecclesia cathedrali Divi Pauli Lond. quinto die mensis Novembris, an. Dom. 1529, Indictione tertia, pontificatus sanctissimi in Christo patris et domini, domini Clementis divina providentia hujus nominis Papæ septimi, anno septimo inchoata et celebrata, ac de tempore in tempus continuata, ac nuper ex causis urgentibus ad domum capitularem infra monasterium sancti Petri Westminster situatam prorogata, et ibidem de diebus in dies continuata congregati super quibusdam arduis et urgentibus negotiis Ecclesiam Anglicanam tangentibus, sæpius, pluries, et iteratis vicibus tractavimus, et communicavimus. Tandem post longum tractatum intra nos et confratres nos prælatosque, decanos, archidiaconos et cleri nostri provinciæ Cantuariensis procuratores in ea parte habitum, die Martis, viz. 24 die mensis Januar. A. D. secundum cursum et computationem, 1530, Indictione quarta, pontificatus dicti sanctissimi patris in Christo anno octavo, in domo capitulari Westminster prædicta iterum congregata, nos Willielmus arch. antedictus nostrique suffraganei, cæterique prælati, et clerus antedictus, vestræ regię majestati concessimus summam centum millium librarum, sumptibus et expensis omnium nostrorum prædictorum colligendam, levandam, et ad usum vestræ regię majestatis persolvendam, locis et terminis in ea parte assignatis et limitatis, prout in

quodam scripto certificatorio, vestrae celsitudini per nos facto, et sub sigillo nostri archiepiscopatus praedicti plenius continetur: cujus concessionis forma sequitur in haec verba.

Si naturaliter obligamur eis benefacere, qui de nobis praeter ceteris bene meriti sunt (ut certe obligamur), profecto nisi humanitatis officia, et naturae jura foede violare voluerimus, non possumus praetermittere vel praeterire quin illustrissimo et potentissimo domino nostro Henrico Octavo, Angliae et Franciae regi invictissimo, Fidei Defensori, et domino Hiberniae, pro suis ingentibus et incomparabilibus beneficiis aliquam animi nostri gratam significationem, non tantum per verbalem gratiarum et laudum actionem, sed etiam per realis et pecuniariae benevolentiae spontaneam oblationem ostendamus. Tanta enim sunt illustrissimae ejus majestatis in nos merita, quod nullis laudibus sequari, nullis gratiis referri, nullis officiis rependi, nedum nostris praemiis aut muneribus recompensari queant. Etenim sicut superioribus diebus, universalem Ecclesiam (cujus humillima membra sumus) studiosissime calamo, et sumptuosissime bello contra hostes defendit, tam potenter et invicte quod et nominis et famae aeternam gloriam inde promeruit, atque ad caelos viam aperuit et ingressum sibi patefecit, atque praeterea totam Christi Ecclesiam generaliter, et nos suos subditos peculiariter, tali merito sibi perpetuo et obligatissime devinxit; sic impraesens quam plurimos hostes, maxime Lutheranos, in perniciem Ecclesiae et cleri Anglicani (cujus singularem protectorem, unicum et supremum dominum, et quantum per Christi legem licet etiam supremum Caput ipsius, majestatem recognoscimus,) conspirantes, ac in praelatorem et cleri famam et personas, sparsis famosis libellis, mendaciis et maledictis, jampridem hoc animo debacchantes, ut illorum aestimationem laederent, et vulgo contemnendos propinarent: sapientissima ejus majestas, ut decebat, piam fidei et Ecclesiae defensorem, suis laboribus, suis rationibus et conciliis, immo suis monitis, edictis, et auctoritate taliter contudit et repressit, quod illorum audacia coepit refrigescere, quae maximum tumultum contra Ecclesiam videbatur excitatura: qui tametsi in sola Ecclesiae potestate praeludebant, tamen forsitan intendebant non solum praelatorum, sed etiam omnium principum potestatem enervare, et Evangelii imitationem simulantes, atque sanctam quandam hypocrisin suis inceptis pretendentes, eo respiciebant, ut tandem confederata

nequissima multitudo insurgerent, et bona Christo data diriperent, ac in ecclesiarum possessiones violenter irrumperent : quem metum atque periculum rex noster invictissimus a nobis repulit, et curavit ut in quiete securaque pace Deo ministrare, et curæ animarum populi majestati ejus commissæ, debite inservire possimus. Quocirca ne illustrissima ejus majestas suam benevolentiam, et excellentissima beneficia præfata in omnino ingratos se contulisse judicet, et quia summe confidimus quod ejus celsitudo ex sua in Deum ingenti pietate, proque clarissimo Fidei Defensoris nomine, quod præ cæteris regibus longe honoratissimum jam olim promeruit, Christi fidem et ecclesiam solito zelo contra hæreticos et alios oppugnatores potenter defendet ; et ut omnibus et singulis prælatis clericis, et religiosis in sacris ordinibus constitutis, abbatissis, priorissis, etiam sanctimonialibus Cantuariensis provinciae, atque quibusvis judicibus, advocatis, registrariis, et scribis, procuratoribus ad judicia constitutis, ac apparitoribus cæterisque qui intra Cantuariensem provinciam, potestatem aut jurisdictionem, ut judices, eorumve deputati, in aliquibus curis spiritualibus exercuerunt, aut ejusdem jurisdictionis exercitio aut executioni, sicut advocati, registrarii, scribæ, procuratores ad judicia, et apparitores, ministri fuere, generalem gratiam, et pardonationem de omnibus eorum transgressionibus, poenali legum, et statutorum hujus regni, tum cæterorum tum etiam statutorum de provisoribus et præmunire, in tam amplis modis et forma, prout suæ majestati, ex solita sua benignitate, in subditos suos sæpius ostendere placuit, concedere dignetur, nobis in iis condonatis, quæ nobis humillimis suis subditis prodesse, et ab angustiis quibus versamur liberare potuerit. (Quod ut faciat, humillime provoluti in genua ante pedes ejusdem celsitudinis supplices deprecamur.) Nos prælati et clerus dictæ provinciae Cantuariensis in convocatione, &c. illustrissimo et potentissimo principi, &c. dedimus et concessimus, prout per præsentem damus et concedimus summam centum millium librarum de bonis et possessionibus ecclesiasticis, &c. ad usum majestatis ejusdem, infra quinquennium ex nunc proxime et immediate sequens, per quintas æquales portiones, fideliter persolvendam, &c. — Nos Willielmus archiepiscopus, primas et legatus antescriptus, præsentem literas testimoniales, sive hoc præsens publicum instrumentum sigilli nostri appensione, signoque et subscrip-

tione Willielmi Potkyn publici auctoritate Apostolica notarii, et registrarii, scribæque nostri, ut præmittitur, in hac parte assumpti, fecimus et jussimus communiri. Dat. quoad sigillationem præsentium 22 die mensis Martii anno secundum cursum et computationem Ecclesiæ Anglicanæ 1530, et nostræ translationis anno 28.

XVIII.

The King's Confirmation of the Act for the extinguishing the Payment of Annates.

Memorandum quod nono die Julii, anno regni regis Henrici vicesimo quinto, idem dominus rex per literas suas patentes sub magno sigillo suo sigillatas, actum prædictum ratificavit et confirmavit, et actui illi assensum suum regium dedit, prout per easdem literas patentes, cujus tenor sequitur in hæc verba, magis apte constat.

Bp. Burnet's Hist. Reform. part 1. Records, book 2. p. 107.

[Then follows the king's confirmation, in which the act is recited.]

XIX.

13.

The last Form of Submission required by the King, of the Clergy, and to which the Lower House only consented.

We, your most humble subjects, daily orators and beadsmen of your clergy of England, having our special trust and confidence in your excellent wisdom, your princely goodness, and fervent zeal to the promotion of God's honour and Christian religion, and also in your learning, far exceeding in our judgment the learning of all other kings and princes that we have read of, and doubting nothing but that the same shall continue and daily increase in your majesty :

Dr. Atterbury's Rights, &c. of an English Convocation. Appendix, p. 537. A.D. 1532. Cotton. Lib. Cleop. vi. F. fol. 96.

First, Do offer and promise *in verbo sacerdotii*, here unto your Highness, submitting ourselves most humbly to the same, that we will never from henceforth presume to attempt, allege, claim, or put in ure; or to enact, promulge, or execute any canons, constitutions, or ordinances provincial, or by any other name whatsoever they may be called, in our convocation in time coming, (which convocation is always, hath been, and must be assembled only by your Highness's command or writ) unless your Highness, by your royal assent,

shall license us to make, promulge, and execute the same, and thereto give your most royal assent.

Secondly, That whereas divers of the constitutions provincial, which have been heretofore enacted, be thought to be not only much prejudicial to your prerogative royal, but also overmuch onerous to your Highness's subjects, your foresaid clergy is contented it be committed to the examination and judgment of thirty-two persons, whereof sixteen to be of the upper and nether house, of the temporalty, and other sixteen of the clergy; all to be chosen and appointed by your most noble grace: so that finally, which soever of the said constitutions shall be thought and determined by the most part of the said thirty-two persons not to stand with God's laws, and the laws of your realm, the same to be abrogated and taken away by your Highness and the clergy, and to be abolite, as of no force and strength.

Thirdly, That all other of the said constitutions being viewed and approbate by the said thirty-two persons, which by the most part of their judgments do stand with God's laws, and your Highness, to stand in full strength and power, your grace's royal assent once impetrate and fully given to the same.

XX.

The last Submission of the Clergy to King Henry VIII. The Latin Title runs thus: Instrumentum super Submissione Cleri, coram Domino Rege, quoad Celebrationem Conciliorum Provincialium.

Dr. Atterbury's Rights, &c. Appendix, p. 539. From Lord Longvil's Library. Paper-office, from whence I transcribed a copy. May 16, A.D. 1552.

In Dei nomine, Amen. Per præsentis publici instrumenti seriem cunctis appareat evidenter et sit notum quod anno Domini millesimo quingentesimo tricesimo secundo, indictione quinta, pontificatus sanctissimi in Christo patris et domini nostri domini Clementis divina providentia illius nominis Pape septimi anno nono, mensis vero Maii die decima sexta, in quodam ambulatorio intra ædes excellentissimi et invictissimi in Christo principis et domini nostri domini Henrici Octavi, Dei gratia Angliæ et Franciæ regis, Fidei Defensoris, et domini Hybernici illustrissimi, prope Westmonasterium situato, constitutus personaliter reverendissimus in Christo pater et dominus, dominus Willielmus permissione divina Cantuari-

ensis archiepiscopus, totius Angliæ primas, et Apostolicæ sedis legatus, quandam schedulam per ipsum et alios episcopos, abbates et priores domus superioris convocationis prelatorum et cleri provincie Cantuariensis domo capitulari infra monasterium Westmonasteriense hesternæ die, viz. quinta decima die hujus mensis Maii, tentæ, inactitatam, concordatam, et conclusam eidem excellentissimo et invictissimo domino regi præsentavit, tradidit, et liberavit. Quam quidem schedulam illustris dominus Thomas dux Norff. thesaurarius Angliæ, tunc et ibidem coram dicto excellentissimo domino nostro rege, reverendissimoque patre archiepiscopo prædicto, nec non reverendis patribus, dominis Joanne Lincoln, Joanne Bathon et Wellen, et Henrico Assaphen, episcopis, religiosisque viris monasteriorum sancti Albani, de Bury, de Hyde, Waltham, ac Merton, abbatibus, et prioribus, in nostrorum notariorum publicorum subscriptorum et testium inferius nominatorum præsentis de mandato ejusdem excellentissimi et invictissimi domini nostri regis publice perlegebat. Cujus quidem schedulæ verus tenor sequitur verborum sequentium sub tenore.

We your most humble subjects, daily orators, and beadmen of your clergy of England, having our special trust and confidence in your most excellent wisdom, your princely goodness, and fervent zeal to the promotion of God's honour and Christian religion, and also in your learning, far exceeding in our judgment the learning of all other kings and princes that we have read of, and doubting nothing but that the same shall still continue and daily increase in your majesty :

First, Do offer and promise, *in verbo sacerdotii*, here unto your Highness, submitting ourselves most humbly to the same, that we will never from henceforth enact, put in ure, promulge, or execute any new canons, or constitutions provincial, or any new ordinance provincial or synodal, in our convocation, or synod, in time coming, (which convocation is always, hath been, and must be assembled only by your high commandment or writ) unless your Highness, by your royal assent shall license us to assemble our convocation, and to make, promulge, and execute such constitutions and ordinances as shall be made in the same ; and thereto give your royal assent and authority.

Secondarily, That whereas divers of the constitutions, ordi-

14. nances and canons provincial or synodal, which hath been heretofore enacted, be thought to be not only much prejudicial to your prerogative royal, but also overmuch onerous to your Highness's subjects, your clergy aforesaid is contented if it may stand with your Highness's pleasure, that it be committed to the examination and judgment of your grace and of thirty-two persons, whereof sixteen to be of the upper and nether house of the temporalty, and other sixteen of the clergy; all to be chosen and appointed by your most noble grace: so that, finally, which soever of the said constitutions, ordinances, or canons, provincial or synodal, shall be thought and determined by your grace, and by the most part of the said thirty-two persons, not to stand with God's laws and the laws of your realm, the same to be abrogated, and taken away by your grace and the clergy; and such of them as shall be seen by your grace, and by the most part of the said thirty-two persons, to stand with God's laws, and the laws of your realm, to stand in full strength and power, your grace's most royal assent and authority once impetrate, and fully given to the same.

Super quibus omnibus et singulis tam dictus invictissimus princeps Henricus rex Angliæ et Franciæ, dominus noster supremus, quam idem reverendissimus pater archiepiscopus Cant. nos notarios publicos subscriptos unum, vel plura, publicum, seu publica, instrumentum, sive instrumenta exinde conficere instanter requisiverunt, et eorum uterque requisivit: acta fuerunt hæc omnia et singula, prout supra scribuntur, et recitantur, sub anno Domini, indictione, pontificatu, mense, die, et loco prædictis; præsentibus tunc ibidem nobilibus viris Dominis Georgio Bergavenny, Joanne Huse, Joanne Mordaunt, baronibus, Willielmo Fitzwilliam, milite, et Thoma Cromwell, armigero, testibus ad præmissa rogatis, et specialiter requisitis.

Hoc instrumentum retro scriptum erat subscriptum manibus trium notariorum, viz. Magistri Willielmi Potkyn, Magistri Joannis Hering, et Thomæ Argall.

XXI.

King Henry VIII.'s Letter to the College of Cardinals, for a Cardinal's Cap for Hierom, Bishop of Worcester.

Henricus Dei gratia Rex Angliæ et Franciæ, Fidei Defensor ac dominus Hiberniæ; reverendissimis in Christo patribus et dominis, episcopis, presbyteris, ac diaconis S. R. E. cardinalibus, &c., amicis nostris charissimis salutem. Non tam crebro apud reverendissimas dominationes vestras de eadem re ageremus, nisi imprimis cordi nobis esset, futurumque aliquando speraremus, ut honoris nostri meritorumque aliqua tandem ab ipsis ratio haberetur: non oblitus putamus esse reverendissimas dominationes vestras quam sedulo, et quam ex animo, sæpe ante egerimus, ut reverendus dominus episcopus Wigorniensis (quem ejus in nos fides virtutesque non vulgares nobis charissimum efficiunt) ad cardinalatus dignitatem nostro iatuitu promoveretur: hoc tamen ingens desiderium nostrum, una vel altera injecta occasione, hactenus dilatum est. Verum tamen cum res hæc præter domini Wigorniensis merita, honoris quoque nostri respectu, imprimis cordi nobis sit; intelligamusque de novis cardinalibus in aliorum principum gratiam creandis, nunc tractari, volumus iterum atque iterum his nostris literis reverendissimas dominationes vestras rogare, ut hujus etiam desiderii nostri, nostrorumque meritorum in hoc nostro exornando oratore, rationem aliquam habeant. Nos certe quam ex corde possumus rem hanc vestris reverendissimis dominationibus commendamus; eo quidem animo ut benevolentiae vicissitudinem reponamus; memorique pectore acceptam gratiam conservemus. Et feliciter valeant reverendissimæ dominationes vestræ. Ex regia nostra Greenwich, 19 Maii, 1532.

Paper-office,
May 19.
A. D. 1532.

Vester bonus Amicus,

HENRY R.

XXII.

Cranmer's Protestation made in the Chapter House at Westminster, before his Consecration.

In Dei nomine, Amen. Coram vobis autentica persona et testibus fide dignis hic præsentibus, Ego Thomas in Cant.

Regist.
Cranmer,
fol. 4.
A. D. 1533.

archiepisc. electus, dico, allego, et in his scriptis palam, publice, et expresse, protestor; quod cum juramentum sive juramenta ab electis in Cant. archiepiscop. summo pontifici præstari solita, me, ante meam consecrationem, aut tempore ejusdem, pro forma potius, quam pro esse aut re obligatoria, ad illam obtinendam, oporteat: non est, nec erit meæ voluntatis aut intentionis per hujusmodi juramentum, vel juramenta qualitercumque verba in ipsis posita sonare videbuntur, me obligare ad aliquod ratione eorundem posthac, dicendum, faciendum, aut attemptandum, quod erit, aut esse videbitur contra legem Dei, vel contra illustrissimum regem nostrum Angliæ, aut rempublicam hujus sui regni Angliæ, legesve, aut prærogativas ejusdem; et quod non intendo per hujusmodi juramentum aut juramenta quovis modo me obligare, quo minus libere loqui, consulere, et consentire valeam, in omnibus et singulis reformationem religionis Christianæ, gubernationem Ecclesiæ Anglicanæ, aut prærogativam coronæ ejusdem, reipublicæve commoditatem, quoquo modo concernentibus: et ea ubique exequi, et reformare, quæ mihi in Ecclesia Anglicana reformanda videbuntur: et secundum hanc interpretationem et intellectum hunc, et non aliter, neque alio modo dicta juramenta me præstaturum protestor, et profiteor. Protestorque insuper quodcumque juramentum sit quod meus procurator summo pontifici meo nomine ante hæc præstitit, quod non erat intentionis aut voluntatis meæ, sibi aliquam dare potestatem, cujus vigore aliquod juramentum meo nomine præstare potuerit, contrarium aut repugnans juramento per me præstito, aut in posterum præstando, præfato illustrissimo Angliæ regi. Et casu quo aliquod tale contrarium aut repugnans juramentum meo nomine præstitit; protestor, quod illud me inscio, et absque mea autoritate præstitum pro nullo et invalido esse volo: quas protestationes in omnibus clausulis et sententiis dictorum juramentorum repetitas et reiteratas volo; a quibus per aliquod meum factum vel dictum quovis modo recedere non intendo, nec recedam, sed eas mihi semper salvas esse volo.

XXIII.

King Henry VIII.'s Warrant to the Abbot of Evesham to excuse his Attendance in Parliament.

HENRY REX.

Trusty and well-beloved in God, we greet you well : and albeit that you have monition among them other prelates of this our realm to be present at our high court of parliament next to be holden ; yet nevertheless we of our special grace, considering your debility and age, be content, and by these presents license you to be absent from our said parliament during the continuance, prorogation, or adjournment of the same ; the said monition, or any our writs directed unto you, or a commandment by us given you, notwithstanding.

Ex Biblioth.
Harley
Armig.
An original.
23 Hen. 8.
15.

Given under our signet at our palace of Greenwich, the sixth of January, the twenty-third year of our reign.

XXIV.

King Henry VIII.'s Letter to Archbishop Cranmer, authorizing him to give a final Determination concerning the Marriage between the King and Catharine of Spain.

Most Reverend Father, &c., we greet you well. Doing you to understand, that the twelfth day of this month of April we received letters from you, dated at Lambeth the 11th of the said month ; in which letters ye writ, that, forasmuch as our great cause of matrimony (which has long depended in question) is divulgated, as it is thought, throughout all Christendom, and it is so commented of the mouths of no small number of our people, that many of them fear not to say and report, that thereof is likelihood hereafter to ensue great inconvenience, danger, and perils to this realm, and much uncertainty to our succession, whereby our said people is seemed to be not a little offended. Whereupon ye, whom God and we have ordained Archbishop of Canterbury, and Primate of all this our realm of England ; to whose office it has been and is appertaining, by the sufferance of us and our progenitors, as ye write yourself most justly and truly, to order, judge, and determine mere spiritual causes within this our realm. Having due consideration to the said inconveniences, dangers, and

Ex Biblioth.
R. Harley
Armig.
April, A. D.
1533.

perils, and uncertainty, if the said cause of matrimony should be suffered still to continue in question undecided ; and also reducing to your remembrance the great blame that has been arrected to the clergy of this our realm, especially to the heads and presidents of the same ; because they have not hitherto studied and travelled for remedies to exclude and put out of doubt such uncertainty, inconveniences, perils, and dangers, being moved in your conscience by reason of the premises to endeavour yourself as far as you may, by reason of your said office of primacy, to set some direction and end in the said cause of matrimony, according to the pleasure of Almighty God. And thereupon ye duly recognizing, that it becomes you not, being our subject, to enterprize any part of your said office, in that so great and weighty cause pertaining to us, being your prince and sovereign, without our licence obtained so to do. And therefore, in your most humble wise ye supply unto us, in your said letters, to grant unto you our licence to proceed to the examination and final determination of the said cause, in exoneration of your conscience towards God ; and for the satisfying of your bounden duty towards us, our realm, succession and posterity, in avoiding of the said inconvenience. And finally, in the end of your said letters, ye beseech us to pardon your boldness and rude writing in that said behalf, and to take the same in good sense and part as you do mean, calling God to your record, that only for the zeal you have to the premises, ye have written the said letters, and for none other intent, cause, or purpose.

My Lord, where you write in the last part of your said letters, whereunto we make you first answer, that ye be moved only by the zeal you have to justice, and for the exoneration of your conscience against God, to write as you do unto us, we cannot of reason be discontented therewith, but condignly praise you therein, and for that we perceive that ye have such a good mind and fervent zeal to do justice according to your office, for the quieting of our realm, and for the excluding of such dangers and perils as be in your said letters mentioned ; and also for putting our succession and posterity out of question, doubt, and uncertainty, we cannot but much commend and laud your good and virtuous intended purpose in that behalf.

In consideration whereof, albeit we being your king and sovereign, do recognize no superior in earth, but only God,

and not being subject to the laws of any other earthly creature ; yet, because ye be under us by God's calling and ours, the most principal minister of our spiritual jurisdiction within this our realm, who we think assuredly is so in the fear of God, and love towards the observance of his laws, (to the which laws we, as Christian king, have always heretofore, and shall ever most obediently submit ourself) will not therefore refuse (our pre-eminence and authority to us and our successors in this behalf nevertheless saved) your humble request, offer, and towardness, that is to mean, to make an end according to the will and pleasure of Almighty God, in our said great cause of matrimony, which has so long depended (as our Saviour Christ knows) undetermined, to our great and grievous inquietness and burthen of our conscience.

Wherefore we inclining to your humble petition, by these our letters sealed with our seal, and signed with our sign-manual, do license you to proceed in the said cause, and to the examination and final determination of the same ; not doubting but that you will have God and the justice of the said cause only before your eyes, and not to regard any earthly or worldly affection therein ; for assuredly, the thing that we most covet in this world, is to proceed in all our acts and doings as may be most acceptable to the pleasure of Almighty God our Creator, and to the wealth and honour of us, our succession and posterity, and the surety of our realm and subjects within the same.

XXV.

The Archbishop of York and the Bishop of Durham's Letter to the King : in which they report their message delivered to the Queen ; and her answer upon the sentence of divorce, pronounced May 20th, 1533.

Please it your Highness to understand, that this day we Paper-office. repaired to the princess dowager, and there I, the archbishop of York, for an introduction, did declare to her the effect of our commission, and said to her : 1st. That your Highness had often sent unto her divers of your counsel, and amongst them me one, to declare to her the invalidity of the marriage between your Highness and her. 2dly. That carnal knowledge, which is the great key of the matter, is sufficiently

proved in the law, as also some that were of her counsel do avow. 3rdly. That upon proof so sufficiently made of carnal knowledge, divorce was made between your Highness and her. 4thly. That upon divorce made by lawful sentence, she was admonished to leave the name of a queen, and not to account or call herself hereafter your Highness's wife. 5thly. How that after your Highness was discharged of the marriage made with her, you contracted new marriage with your dearest wife queen Anne. 6thly. That forasmuch as (thanked be God) fair issue is already sprung of this marriage, and more likely to follow by God's grace, that the whole body of the realm gathered together in parliament hath for the stablishment of this issue by your dearest wife queen Anne, and the succession coming of this marriage, made acts and ordinances against all them that would in word or in deed withstand them : and that for these purposes we were sent unto her grace, to the intent she might understand the true purport of these acts with the pains, least by ignorance she should fall in any of them, and so I declared the act. Which things being thus declared unto her, she being upon it in great choler and agony, and always interrupting our words, to the aforesaid points made these answers following. To the 1st, that she took the matrimony between your Highness and her to be good, and so would always account herself to be your Highness's lawful wife ; in which opinion, she said, she would continually till death persist. To the 2d, she utterly denied that ever carnal knowledge was had between her and prince Arthur, and that she would never confess the contrary ; and with a loud voice, when mention was made of this point, she said, they lied falsely that so said. To the 3rd she answered, that she is not bound to stand to the divorce made by my lord of Canterbury, whom she called a shadow ; and that although he had given sentence against her, yet the pope had given sentence with her, whom she took for Christ's vicar, and therefore would always obey him as his faithful daughter. To the 4th she answered, that she would never leave the name of a queen, and would always take herself for your Highness's wife. To the 5th she said, that this marriage, made after her appeal, which she made by your Highness's leave and consent, is of no value. To the 6th she answered, that she is not bound to the acts of parliament, forasmuch as she is your Highness's wife, and not sub-

ject to your Highness, and also because these acts were made by your Highness's subjects in your favour, your Highness being party in this matter, with diverse other unseemly words. Unto which her answer, I, the Bishop of Durham, replying, forasmuch as she had said in her communication, that both I and the residue of her counsel had always showed unto her that her matter was just and good, I said that all the question whereupon we were consulted at such time as the legates were here, depended only upon the validity of the bull and brief. Albeit I said, that sith that time divers other questions had risen, and had been debated by many universities, the chief of Christendom, of which one was Bononia, the pope's own town, and by them concluded, that after the decease of the brother who had carnal knowledge with his wife, the brother living might not marry the said wife by any dispensation of the pope, because it was forbidden by the law of God. And forasmuch as the pope (albeit the said conclusions have been by learned men sent from your Highness declared unto him) never made answer, to maintain lawfully his power to the contrary, but rather, in confirmation of the opinions of the said universities, said at Marsile, that if your Grace would send a proxie thither he would give the sentence for your Highness against her, because that he knew that the cause was good and just; which his saying was according also to an epistle decretal, sent hither by the legate Campegius, whereof the effect was, that if marriage and carnal knowledge was had betwixt prince Arthur and her, the legates should pronounce for the divorce, according whereunto proofs were brought in before the legates, and also since before the convocations of this realm and the bishops of Canterbury, and by them allowed and approved as sufficient and lawful; whereby it doth plainly appear that the sentence given by the pope to the contrary was not valeable, because it pronounced the dispensation, which he had no power to grant, seeing it was against the law of God, to be good, therefore I had now changed my former opinion, and exhorted her to do the semblable, and to forbear to usurp any more the name of a queen, specially for that the sentence which she sticketh so greatly unto, was given after your Grace's appeal to the council general, and intimate to the pope, so that it could not be valeable, and that if she would so do, she might thereby attain much quiet-

ness for herself and her friends, and that she being conformable so to do, I doubt not but your Highness would suffer her to have about her such persons as should be to her pleasure, and intreat her as your Grace's most dearest sister, with all liberty and pleasure; with divers other things which by her much interlacing I was forced to answer unto. The specialties whereof and of her obstinacy, that she will no ways ne for any peril or loss of her life and her goods, relinquish the name of a queen, we do remit for tediousness unto the wisdoms and directions of my lord of Chester, master almoner, and Mr. Redell, who as they have very substantially, wisely, and effectually ordered themselves in the execution of the premises, so we doubt not they will sincerely report the circumstances unto your Highness: whom we beseech Almighty God long to preserve in much honour, to his pleasure, and your Highness's desire. At Huntington, May the 21st day.

By your Highness's

Most humble subjects, servants, and chaplains,

EDVARDUS EBOR.

CUTHBERT DUBESME.

17.

XXVI.

Protestatio sive Confessio facta per quosdam Episcopos, Decanos, et Magistros Ecclesiarum Cathedralium, quod Episcopus Romanus non habet majorem aliquam Jurisdictionem a Deo sibi collatam in hoc regno Angliæ quam quivis alius externus Episcopus.

Biblioth.
Cotton.
Cleop. E. vi.
fol. 207.

Illustrissimo et excellentissimo principi domino Henrico Octavo, Dei gratia Angliæ et Franciæ regi, Fidei Defensori, et domino Hiberniæ; Edvardus permissione divina Eborum Archiepiscopus, Angliæ Primas et Metropolitanus, salutem in eo per quem reges regnant et principes dominantur. Vestræ regiæ celsitudini tenore præsentium innotescimus, et significamus, quod cum juxta vestræ majestatis regiæ mandatum coram prælatis et clero Eborum provinciæ, in sacra synodo provinciali, sive convocatione prælatorum et cleri ejusdem provinciæ Eborum, in domo capitulari Ecclesiæ metropolitice Eborum, quinto die mensis Maii anno Domini 1534 jam instantis, cele-

brata, et de diebus in dies continuata, congregatis; proposita fuit sequens conclusio, quod Episcopus Romanus in sacris Scripturis non habet aliquam majorem jurisdictionem in regno Angliæ quam quivis alius externus episcopus. Ac insuper ex parte præsentium in eadem synodo per nos deputatorum memorati prælati et clerus rogati et requisiti, ut illam conclusionem suo consensu confirmarent et corroborarent, si illam veritati consonam, et sacris Scripturis non repugnantem existimarent aut judicarent: tandem dicti prælati et cleri Eborum provinciæ antedictæ, post diligentem tractatum in ea parte habitum ac maturam deliberationem unanimiter et concorditer, nemine eorum discrepante, prædictam conclusionem fuisse et esse veram affirmarunt, et eidem concorditer consenserunt: quæ omnia et singula vestræ regis celsitudini tenore præsentium intimamus et significamus. In quorum omnium et singulorum fidem et testimonium, sigillum nostrum præsentibus apponi fecimus.

Dat. in manerio nostro de Cawood, primo die mensis Junii 1534, et nostræ consecrationis anno tertio.

Consimilis protestatio sive confessio facta per episcopos et decanos infrascriptos, viz.

Ep. Litchf. et Covent.

Ep. Menevens.

Ep. Bath. et Wellens. et Decanum Ecclesiæ Cathedralis cum 15 aliis.

Priorum et Capitulum Ecclesiæ Cathedralis Menevens. propriis signis subscript. manibus cum 7 aliis.

Præceptorem Ecclesiæ Cathedralis de Landavens. subscript. cum 4 aliis.

Decanum et Capitulum Sancti Pauli London. subscript. cum 78 aliis.

Decanum et Capitulum Assavens. subscript. cum 3 aliis.

Decanum et Capitulum Ecclesiæ Cathedralis Lincoln. subscript. cum 70 aliis.

Consimilis protestatio facta fuit per 34 abbates monasteriorum maxime insignium, cum multis de eorum conventibus.

XXVII.

Protectio, &c. Universitatis Oxon. Quod Romanus Episcopus non habet majorem aliquam Jurisdictionem sibi a Deo collatam in hoc regno Angliæ quam quivis alius externus Episcopus.

Ditto,
fol. 209.

Universis sanctæ Matris Ecclesiæ filiis ad quos præsentēs literæ pervenerint, Joannes permissione divina Lincoln. Episcopus almæ Universitatis Oxon. Cancellarius, necnon universus doctorum ac magistrorum regentium et non regentium in eadem coetus, salutem in Autore salutis. Quum illustrissimus simul ac potentissimus princeps et dominus noster Henricus Octavus Dei gratia Angliæ et Franciæ rex, Fidei Defensor, et dominus Hybernæ; assiduis petitionibus et querelis subditorum suorum in summo suo parlamento, super intolerabilibus potestatum exterarum exactionibus, nuper propositis; controversiisque quibusdam habitis super potestate ac jurisdictione Romani episcopi variisque et urgentibus causis contra eundem episcopum tunc ibidem expositis et declaratis, aditus atque rogatus fuerit ut commodis suorum subditorum in hac parte consuleret, et querelis satisfaceret; ipse tanquam prudentissimus Salomon sollicite curans quæ suorum sunt subditorum, quibus in hoc regno, divina disponente clementia, præest; aliasque secum considerans quo pacto commodissimæ regno suo sanciret leges; denique ante omnia præcavens ne contra sacram Scripturam aliquod statuatur, quod vel ad sanguinem usque defendere semper fuit, et erit paratissimus: solerti suo ingenio sagacique industria, quandam quæstionem ad hanc academiam Oxon. publice et solenniter per doctores et magistros ejusdem disputandam, transmisit, viz. "An Romanus episcopus habeat majorem aliquam jurisdictionem sibi a Deo collatam in sacra Scriptura in hoc regno Angliæ quam quivis alius externus episcopus?" Mandavitque ut habita super hac quæstione matura examinatione et deliberatione diligenti, quid sacræ literæ nostro judicio in hac parte statuatur, eundem certiore facere, sub instrumento sigillo communi nostræ Universitatis communito et firmato, curaremus. Nos igitur cancellarius, doctores, ac magistri prædicti sæpe reminiscentes ac penitus apud nos pensitantes, quanta sit virtus sanctitas, ac nostræ professioni quam consona res, et debitæ submissioni, obedientiæ, reverentiæ, ac charitati congrua, præmonstrare

viam justitiæ et veritatis cupientibus sacrarum literarum vestigiis inherere, securiorique et tranquilliori conscientia in lege divina sacra (ut aiunt) suam anchoram reponere : non potuimus non invigilare sedulo quin in petitione tam justa ac honesta tanto principi (cui velut auspiciatissimo nostro supremo moderatori obtemperare tenemur) modis omnibus satisfacere-
 mus. Post susceptam itaque per nos quæstionem antedictam cum omni humilitate, devotione, ac debita reverentia, convocatis undique dictæ nostræ academix theologis, habitoque quamplurium dierum spatio ac deliberandi temporis satis amplo, quo interim quam cum omni qua potuimus diligentia justitiæ zelo, religione et conscientia incorrupta perscrutaremur, tam sacræ Scripturæ libros quam super eisdem approbatissimos interpretes, et eos quidem sæpe ac sæpius a nobis evolutos, et exactissime collatos, repetitos et examinatos, deinde, et disputationibus solennibus palam et publice habitis et celebratis, tandem in hanc sententiam unanimiter omnes convenimus et concordēs fuimus ; viz. Romanum episcopum majorem aliquam jurisdictionem non habere sibi a Deo collatam in sacra Scriptura, in hoc regno Angliæ, quam alium quemvis externum episcopum. Quam nostram assertionem, sententiam, sive determinationem sic ex deliberatione discussam, ac juxta exigentiam statutorum et ordinationum hujus nostræ Universitatis per nos conclusam, publico totius academix nomine, tanquam veram, certam sacræque Scripturæ consonam affirmamus, sincereque testificamur per præsentēs. In quorum omnium et singulorum fidem et testimonium has literas fieri, et sigillo nostræ Universitatis communi roborari fecimus. Dat. ^{ibid.} in domo convocationis nostræ vicesimo septimo die Junii anno ^{fol. 210.} Domini 1534.

Protestatio ejusdem tenoris facta fuit ab omnibus ejusdem Universitatis collegiis, et per præpositos et magistros quindecim collegiorum in diocesis Wigorn. Norwich. Exon. et Menevens. et a septem hospitiiis in diocesis London. Wigorn. Norwich. Lincoln. et a quamplurimis prioribus.

Protestatio ejusdem tenoris facta fuit ab Universitate Cantabrigiensi. Vid. Fox, vol. ii. p. 338.

And here it may not be improper to insert the congratulatory addresses of both Universities to the king, made after the dissolution of the monasteries, upon this subject.

XXVII.

A Letter from the University of Cambridge to King Henry VIII. congratulating his Majesty for throwing off the Pope's Supremacy, and suppressing Superstition.

Biblioth.
Cotton.
Cleop. E. vi.
fol. 242.

Octavius Augustus princeps invictissime cum veteranus quidam illi pro tribunali sedenti libellum timidius porrigerat, Quid (inquit) trepidas, commilito, tamquam si stipem elephanto dares? Ægre nimirum tulit modestissimus imperator, quod quam lenitatem et animi moderationem toto orbe notam illustremque esse voluit, eam ejus miles ita timide reformidaret. At nos immensa clementia meritorumque magnitudo tuorum, et ardens ille atque inflammatus in pietatem amor, quem in tua majestate cernimus, ita consolatur et ad se invitat, ut quod alioqui ne optare quidem aut sperare fuisset ausi, id tuæ majestatis in virtutem ac religionem animi impetu et ardore abusi, etiam petere audeamus. Acceptis enim duobus a tua majestate beneficiis, quibus nihil majus aut populus accipere aut melius princeps dare, aut omnino uberius homo homini conferre, præstareve potest, pace nimirum et pura purgataque religione: nova quidem et alia petere, cum quæ dedisti sint maxima, nec volumus nec debemus. Quæ autem ad hæc defendenda et sarta tecta conservanda pertinent, si postulaverimus, et velle illud tuam majestatem, et jubere speramus. Quamquam alteram ita tua serenitate tutatam fuisse cernimus, nihil ut quisque amplius exoptare possit. Alteram tanto studio inchoatam vidimus, ut omnia jam sperare queamus. Nam cum initio faustissimi tui regni subactis Scotis, Gallos ad conditiones pacis adegisti; illa tum fuerunt fundamenta pacis et quietis jacta, tot ut jam annos ad hunc usque diem, non nemo fortasse cupit, nemo tamen ausus est eam convellere.

Ad religionem vero corrigendam, quæ longe a prima puritate recesserat, sero animum adjecisti; non profecto sero, si quanta res quam parvo spatio in illa emendanda et corrigenda, transacta confectaue sit, reputemus; sed nimirum certe sero, si quanto desiderio veræ religionis tua majestas, quanto amore jam agnitæ pietatis populus flagret, velimus considerare. Illa quoque quæ ingenti labore magnoque studio in vineam Domini repastinanda refodiendaque peregeris, non solum paranda, sed etiam fruenda fuerant.

Utque tanquam excellens artifex non speciosum præcla-

rumque opus ederes, et ad exitum perduceres; sed operis etiam tui pulchritudine diu multumque oblectatus, ante actorem laborum fructum jucunda factorum memoria retineres. Quanquam sublimitatis tuæ labores, et defixas in Evangelium propagandum cogitationes, respiciens Deus, ut respiscentem populum et ad leges suas conversum aliquo magno bono afficeret; tandem, inquam, aliquando pignus illud amoris erga nos sui principem Edvardum infantem, tali parente dignum, ad nos demisit, ut esset cui non solum florentissimi regni, sed etiam sinceræ tuæ fidei germanæque religionis hæreditatem relinqueres. Hujus de causa noctes ac dies studere intelligimus; omnemque operam tuam ac sollicitudinem eo conferre, ut quod in religione purganda feliciter fortunatissimeque sit inchoatum, quod quidem adhuc relinqui videtur, id Christo bene secundante perficias quamprimum, et absolvas. Quid igitur inchoatum dicimus, quid relictum? Annon Romanus pontifex ejectus est? Ejicitur. Annon ejus diplomata, condonationes, indulgentiæ, cæteræque bullæ ac nugæ sunt explosæ? Exploduntur. Annon bona monachorum pars, quorum vita superstitiosa, religio vana, ritus monstrosi fuerant, sublata est? Tolluntur. Annon indignus cultus imaginum ac sanctorum prohibitus est? Prohibetur. Annon fraterculorum gens, natio ex fraudibus et mendaciis concreta, Romani pontificis idolum, papisticæ vanitatis seminarium, et veterum Pharisiorum et philosophorum reliquiæ, exactæ sunt? Exiguntur.

Intelligimus nos jamdiu abuti patientia tua, clementissime princeps, nisi quod hæc recordatio pulcherrimorum factorum tuorum quæ nobis est jucunda, est ut speramus et majestati tuæ non ingrata. Quid igitur desideramus? Quid petimus? Quæ hactenus facta sunt, ea sunt omnia summo consilio, summaque prudentia gesta. Quicquid enim fuit errorum et nebularum, id omne serenitatis tuæ vigilantia pepulit, disturbavit, dissipavit, evertit. Et erat hoc quidem primum, sed tamen intelligit illa tua majestas non semper satis esse adversam aciem profligare et fundere, nisi tuam quoque diligenter munias et conserves. Non sufficit quantumlibet procul effugasse hostem, nisi dispositis præsidiis, et per stationes idoneas collocato milite, quam longissime a tuis muris eundem coerceas.

Magna res est, quam es exorsus. Divinum est et non

19.

humanum inceptum, religiosissime princeps; Christus ipse primus hæc jecit fundamenta, secuti Apostoli, et tamen quam brevi tempore zizanium succrevit, adolevit superstitio, pontificia tyrannis imposita est? Etenim umbra quamvis longe abigatur, nisi accensis identidem luminibus assidue repulsa fuerit, quam mox revertit; et hominum fere genus magis tenebris delectatur quam luce. Quamobrem innitendum est sedulo et omni ope in id incumbendum, non solum ut ea quæ nunc tua serenitas habet totius orbis lumina, puros ac sinceros radius emittant, sed ut si quod illis humanitus contingat, novæ ut lampades novæque faces possint accendi; qui quanto sint copiosiores et densi magis, tanto majorem veræ lucis proventum, tanto debiliores fore tenebras, oportet sperare. Neque vero committendum est, ut ex agro Dominico malæ tantum herbæ, vitiosæque stirpes evellantur, sed adhibenda est opera ut etiam bonæ magno numero foveantur et consetantur. Quid igitur anticipamus consilia tua, et quid faciendum sit ipsi præibimus? Minime vero, neque enim ignoramus ista tuam sublimitatem agitare et tota mente revolvere quomodo de pietate verâ quam optime merearis, et Christianam religionem quam latissime exaugeas, neque id parca et maligna, sed liberali ac magnifica, vereque regia manu. Sed si quid tale majestas tua cogitarit, aut animo destinaverit, nostri fuit officii submonere, suppliciterque petere ut huc ad nostram academiam flectes oculos; quæ cum semper sinceriori religioni maxime faverit, talem principem qui in secernenda depurandaque doctrina Christi, tantum laborem collocaverit, non potuit non eximie præter cæterorum subditorum conditionem amare.

Movet nos fratrculorum ruina, non quidem quod eos exactos dolemus, quos non solum inutiles, sed etiam perniciosos Christianæ religioni fuisse duximus; sed, ut exoptemus et vehementer cupiamus, quæ domicilia superstitioni olim et vane religioni dedicata fuerunt, ut eadem doctrinæ Christi, bonisque litteris edocendis, aliquando inserviant.

Atque illud quidem supremis precibus a Deo Opt. Max. tuæque majestate petimus, id in summis votis atque optatis nostris habemus; quibus ex ædibus cum cœnobis dicebantur, ignavus fucorum grex, et magnus impostorum numerus evolare solebat; ut eadem collegia facta, vel juvenum præclaras indoles ad discendum vel seniorum eruditam turbam ad concionandum, videa-

mus emittere. Quibus nostris precibus, si tua majestas annuat, cum omnia feceris quæ non solum ad conservandam, sed etiam ad ornandam tuam rempub. pertinent, tamen ad innumerabilia tua in religionem Christianam beneficia, quod fieri jam posse non videbatur, maximus hoc tuo facto cumulus accedet, Jesus Christus serenissimam majestatem tuam diu servet ac tueatur.

Majestati tuæ

Deditissimi Servi ac Scholastici Vicecancell.

Cantab. e Senatu
nostro, Oct. 12.

Et Academ. Cantab.

This letter was written after the dissolution of the abbeys, as appears by one clause, in which they desire the monasteries may be turned into colleges for the encouragement of preachers, or the improvement of young people in other parts of learning.

The university of Oxford wrote to the king on a resembling subject. In their address they take notice of the restoration of learning, and congratulate with him upon the suppression of the tyranny and superstition of the court of Rome. Amongst other acknowledgments, they make his majesty one for excepting the universities in the act of parliament from the payment of first-fruits and tenths. In the close of the letter they address him to protect them in their ancient privileges against the encroachment of their neighbours,—by which, I suppose, they mean the town of Oxford. Their address runs thus:—

Serenissimo principi Henrico ejus nominis VIII. Angliæ et
Franciæ regi, domino Hybernæ, Fidei Defensori, necnon
Ecclesiæ Anglicanæ immediate post Christum in terris capiti
supremo, Cancellarius et universus Oxoniensium Cœtus, salu-
tem.

Biblioth.
Cotton.
Cleop. E. vi.
fol. 245.

Quum alia sunt permulta, Henrice regum clarissime, quæ sacræ majestatis tuæ nomen orbi commendant, illud tamen, communi omnium sententia, cum primis illustrat, quod nihil jam diu tibi sit antiquius, nihil magis quicquam in votis habeas, quam Angliam tuam non multis ante sæculis barbaram prorsus et incultam, a foeda barbarie, resuscitatis ubique meliorum literarum studiis, vindicare, et ab umbratili ac falsa quadam religione, quæ paulatim Romanorum pontificum imposturis

irrepsit, ad pietatem ac verum Numinis cultum reducere. Nam cum non aliud constet esse munus, quod magis Christianum principem deceat, quam in hunc totis nervis scopum incumbere, huc labores omnes, omniaque consilia referre, ut subditi fiant non tam claris literis, quam pietate insignes, quis jure negaret te optimi regis officio abunde perfunctum esse, cujus potissimum opera tantus ubique bonorum pariter ac literatorum proventus, per omnes regni tui partes exoriatur; ut Britannia in qua patrum nostrorum memoria omnium fere bonarum artium studia frigeabant, sic, te principe, sinceriores disciplinas colat, ut in ea non parum multi sint, qui cum veteribus ipsis literarum proceribus jure optimo queant de eruditionis palma concertare; sic pietatis studium amplectatur ut nusquam omnino magis ad Christi regulam ac puræ religionis præscriptum, hodie vivatur. Nec mirum sane in regno tuo virtutis ac literarum segetem passim renasci, quum a te, penes quem summa rerum est, hæc imprimis coluntur; sicut subditis tuis vel calcar esse possis, quo hisce rebus acrius insistant, quodque facile maximum est, cum harum rerum studiosis ita ex animo faveas, ut non alios libentius ad summos provehas honores, quam quos vel vitæ integritas, vel eximia literarum peritia, vel utrumque horum tibi commendant. Accedit etiam quod academias, quæ sunt veluti fontes virtutis et literarum seminaria, sic regia autoritate tueris, sic inaudita liberalitate foves, sic denique melioris literaturæ professoribus ornas, ut unus ipse multorum beneficia regum, qui easdem primitus in publicam utilitatem instituere, tua penitus munificentia obscuraris. Quare ne singula persequamur, vel unum illud argumento est sane quam luculento, te virtute et literis promovendis esse natum, quod tam benigne decimarum nuper ac primitiarum solutionem, tua ac senatus autoritate, eisdem condonaras. Quod sane tam benignum facinus, ita sacratissime majestatis tuæ nomen immortalitati commendatum consecrarit, ut nunquam salvis literis, ulla ætatis vel oblivionis injuria intercidere poterit. Quod vero nostrarum est partium, sedulo quidem ac pro virili parte connitemur omnes, ut tanta demum beneficentia digni judicemur, hoc est, ut pro tuis maxime votis literis simus juxta ac morum probitate insigniter conspicui. Atqui in tales poterimus viros minori cum negotio evadere, si tua nunc tandem celsitudo non gravabitur, simul et litigiis istis, quæ nobis jamdiu cum vicinis nostris intercesserint, finem

imponere simul et privilegia nobis restituere, quæ ab illustrissimis olim majoribus tuis, nostræ in publicam studiorum utilitatem academici sunt concessa. Quæ ut propediem restitutas tuam sublimitatem tam vehementer obsecramus, quam iis ad communem studiorum tranquillitatem, maxime indigemus. Quod si sacratissima majestas tua nostris annuere precibus, vel querelis potius justissimis, pro sua bonitate dignabitur, quod unam præstare possumus, Deum Opt. Max. pro tua salute perpetuis interpellare precibus non cessabimus, in quo valeat celsitudo tua quam diutissime.

Dat. Oxon. Prid. Id. Novembr.

XXVIII.

A Petition of the Clergy of Canterbury to King Henry VIII. for Relief against a Statute passed in the 21st year of his reign.

Petitio Cleri, &c.

Ut Ecclesia Anglicana gaudeat et fruatur omnibus et singulis juribus, libertatibus, consuetudinibus antiquis, et privilegiis et immunitatibus concessis a nobilis memorie regie sublimitatis progenitoribus, regibus Angliæ, prout in chartis et concessionibus eorundem, præsertim in charta magna, in charta de Foresta, in charta Edvardi super articulis cleri, et in brevi Circumspecte agatis nec non Edvardi quarti, aliis item immunitatibus suis quibuscunque.

Biblioth.
Cotton.
Cleop. vi.
F. ii.
fol. 257.
21 Hen. 8.
cap. 13.
A.D. 1529.

Et quia clerus summopere affectat vitare offensa regie sublimitatis, et æquum non est ut aliquis poenam violatæ legis incurrat quam scire non potuit; ut dignetur sua sublimitas curare ac jubere ut in præsentì parlamento certi ac præscripti limites clare designentur casuum statutorum de præmunire, sic quod extra illos casus declaratos aliqua non incurratur poena; et ne de cætero decernatur a curia regia emittendum contra ullum judicem ecclesiasticum, aut partes litigantes, breve præfatum de præmunire, nisi præmissa prohibitione regia et in casibus præscriptis.

Præterea quum clerus multum gravaminis ac damni sustineat, ratione statutorum in præsentì parlamento editorum, libertatem ecclesiasticam et sanctiones canonicas enervantium, in animarum statuentium, et quorumcunque executionem de-

mandantium, periculum manifestum, sententiamque excommunicationis notorie et damnabiliter incurrendo; ad quæ faciendæ nec consenserunt per se, nec per procuratores suos, neque super eisdem consulti fuerunt; ipsaque eadem statuta tum graves, tum inevitabiles pœnas in se contineant; non nihil etiam iniquitatis habeant contra charitatem et canonicas sanctiones edita; sintque in se adeo captiosa, ut difficile sit ea non violare: hospitalitati quoque non parum derogantia, miseris vicariis rectoriarum suarum conductiones uti videtur prohibentia; ut iidem patres (quorum est veritatem canonum annunciare) remedium opportunum in statutis prædictis provideant tam præsentī, quam futuris temporibus debite consulentes.

XXIX.

A Commission to inquire into the yearly value of the Revenues belonging to the Clergy and Religious Houses, &c., pursuant to certain Instructions.

Biblioth.
Cotton.
Cleop. E. iv.
fol. 167.
An original.
Jan. A. D.
1534-5.

Henricus Octavus Dei gratia Angliæ et Franciæ Rex, Fidei Defensor, Dominus Hiberniæ, et in terra supremum Caput Anglicanæ Ecclesiæ, reverendo in Christo patri episcopo Londinensi, ac dilectis et fidelibus suis Johanni Champneys militi, Thomæ Cromwell magno secretario suo, Johanni Alleyn militi, Thomæ Bedyll clerico, Johanni Baker, Henrico White, Johanni Onley, Thomæ Rushton, Gulielmo Bowyer, Paulo Wichpoll, Richardo Gresham, Hervey Mildmay, Thomæ Burgoyne, et Thomæ Roberts, auditoribus, salutem: sciatis quod nos de fidelitatibus et providis circumspectionibus vestris plene confidentes, assignavimus vos quinque quatuor e vobis, ac quinque quatuor et tribus vestrum, vel in majori aut minori numero, prout per discretionem vestram vobis melius visum fuerit, plenam potestatem et auctoritatem ad inquirendum, scrutandum, et examinandum viis, modis quibus scire poteritis infra civitatem London. et libertates ejusdem, de omnibus et singulis articulis et instructionibus præsentibus annexis, faciend. et exequend. cum effectu, prout in iisdem articulis plenius continetur, et idem injungentes quod circa præmissa effectualiter intendatis, ac ea faciatis et exequamini diligentes, &c., quod veritatem de eisdem articulis, et de eorum singulis habere poterimus, absque favore, fraude, dolo, corruptione, inde nobis respondere velitis; et quicquid in præmissis feceritis thesaurario, cancellario,

camerario et baronibus de scaccario nostro ; inde et de omnibus circumstantiis eorundem prout articuli prædicti in se exigunt, et festo sanctæ Trinitatis proxime futuræ sub sigillis vestris distincte et aperte in debita forma in scriptis certificetis : et hoc sub periculo incumbenti nullatenus omittatis : damus etiam præterea vobis plenam potestatem tales et tantos scribas, registrarios receptores auditores et alios officarios, et ministros quorumcunque prælatorum et clericorum Ecclesiæ, coram vobis convocandi et examinandi, prout vobis pro meliori executione videbitur expedire : mandantes insuper tenore præsentium omnibus et singulis vice-comitibus, majoribus, ballivis, registraribus ac aliis officiariis et ministris, tam nostri quam aliquorum prælatorum, seu clericorum, singulis fidelibus subditis nostris quibuscunque quod vobis in executione præmissorum de tempore in tempus intendentes sint et auxiliantes, prout decet. In cujus rei testimonium has literas nostras fieri fecimus patentes apud Westm. xxx. die Januarii anno regni nostri vicesimo sexto.

XXX.

King Henry VIII.'s Commission in allowance of the Deputation made by Cromwell, Vicar-general.

Henricus Octavus Dei gratia Angliæ et Franciæ Rex, Fidei Defensor, Dominus Hiberniæ, ac in terris supremum totius Ecclesiæ Anglicanæ sub Christo Caput, dilectis nobis A. B. C. D. salutem. In terris supremam Ecclesiæ Anglicanæ sub Christo auctoritatem, etsi regiæ nostræ dignitati, ut præcellenti jam inde ab adepto primum divina disponente gratia, hujus regni nostri Angliæ sceptro, jure nobis competierit, nunc demum exerere quodam modo impellimur. Nempe quum hi, qui curam illius et regimen sibi potissimum arrogabant, suis potius ipsorum privatis commodis, quam publicæ illius salutis, aut compendio consulentes, eam tandem eo calamitatis tum nimia licentia et in officiis eis commissis oscitantia, tum suis malis exemplis, devenire passi sunt, ut non ab re metuendum sit, ne illam Christus suam non agnoscat sponsam. Quamobrem nostræ regiæ excellentiæ, cui prima et suprema post Deum auctoritas in quoscunque hujus regni nostri incolas, nullo sexus, setatis, ordinis aut conditionis habito discrimine, sacro testante eloquio, cælitus demandata est ; ex muneris hujusmodi debito potissimum incumbit dictam Ecclesiam viti-

Biblioth.

Cotton.

Cleop. vi.

F. ii.

fol. 131.

A. D. 1535.

21.

orum vepribus, quantum cum Deo possumus, purgare, et virtutum seminibus et plantis conserere. Porro cum hi qui in eadem de cæteris antehac censuram sibi vendicabant, de se vero nullam a quovis mortalium haberi sustinebant, tum aliis hominibus plura indies corrigenda committant, tum ex eorum corruptis moribus majori præ cæteris sint plebi offendiculo; ut non immerito iidem et bonorum omnium, si boni, et malorum omnium si contra, certissimi sint authores. Ab his igitur veluti fonte et scaturigine ad Universitatem hujus regni nostri, et Ecclesiæ Anglicanæ reformationem jure auspicandam esse duximus; haud vanam spem habentes, quod fonte primitus purgato purus deinde et limpidus decurret rivus. Cæterum quia ad singula hujus regni nostri loca, pro præmissis exequandis nosipsi personaliter obire non valemus, alios quorum vicaria fide freti munus hujusmodi, veluti per ministros exequamur, qui quod vices nostras in ea parte suppleant, in partem solitudinis asciscimus, et vocamus. Cum itaque nos alias per dilectum nobis Thomam Cromwel secretarium nostrum primum et rotulorum nostrorum magistrum sive custodem nostrum, ad causas ecclesiasticas quascunque nostra auctoritate, uti supremi capitis dictæ Ecclesiæ Anglicanæ, quomodolibet tractandum seu ventilandum, atque ad exercendum, expediendum et exerendum omnem et omnimodam jurisdictionem, auctoritatem sive potestatem ecclesiasticam, quæ nobis tanquam supremo capiti hujusmodi competit, aut quovis modo competere possit, aut debeat ubilibet, infra regnum nostrum Angliæ et loca quæcunque nobis subjecta, vicemgerentem, vicarium generalem, ac commissarium specialem, et principalem cum potestate alium vel alios commissarium sive commissarios, ad præmissa vel ex eorum aliqua ordinanda et deputanda, per alias literas nostras patentes, sigillo nostro majori conjunctas, constituerimus, præfecerimus et ordinaverimus, prout ex tenore literarum nostrarum hujusmodi plenius liquet.

Quia tamen et ipse nostris et totius regni nostri negotiis præpeditus existit, quo minus præmissa personaliter obire et exequi possit, idem Thomas Cromwell vicemgerens, vicarius generalis et officialis principalis noster hujusmodi, vos A. B. C. D. prælibatos ad infra inscripta omnia et singula vices et nomine nostris exequenda, commissarios nostros deputaverit, ordinaverit et constituerit. Nos igitur deputationem, ordinationem et constitutionem hujusmodi ratas et gratas

habentes, ad visitandum tam in capite quam in membris, sede tam plena quam vacante, quoties et quando vobis opportunum visum fuerit, omnes et singulas ecclesias, etiam metropoliticas, cathedrales, et collegiatas, hospitalia quæque et monasteria tam virorum quam mulierum, prioratus, præceptorias dignitates, officia, domos et loca alia ecclesiastica tam secularia quam regularia, exempta et non exempta quæcunque infra regnum nostrum Angliæ et provincias, civitates, terras, dominia et loca nobis subjecta, ubicunque sita seu constituta, cujuscunque dignitatis, prærogativæ, ordinis, regulæ sive conditionis existant, deque statu et conditione eorundem tam in spiritualibus quam in temporalibus; necnon vita, moribus et conversatione tam præsidentium sive prælatorum eorundem quocunque nomine et dignitate, etiamsi archiepiscopali vel episcopali præfulgeant, quam aliarum personarum in eis degentium quarumcunque inquirendum et inquirendum. Ac illos quos in ea parte curiosos vel culpabiles compereritis, pro modo culpæ hujusmodi corrigendi, puniendi et coercendi; ac si delicti qualitas id poposcerit, officiis sive beneficiis suis pro tempore, vel in perpetuum privandi et amovendi, vel ad tempus ab eisdem suspendendi; fructus quoque redditus et proventus ecclesiarum et locorum hujusmodi, si videbitur, sequestrandos, ac sub salvo et tuto sequestro custodiri faciendos atque mandandos. Sequestrumque hujusmodi relaxandum, ac componendum, calculum et rationem de receptis et collectis per sequestros hujusmodi tempore sequestri, et de administratione per eosdem exigendum et recipiendum, ac bene et fideliter computantes, quietandum et liberandum. Deque statu dictarum ecclesiarum et locorum tempore visitationis hujusmodi adnotationem, necnon de bonis, rebus et localibus eorundem inventoria facienda et exigenda.

Statuta insuper, ordinationes et injunctiones particulares et generales pro bona et laudabili conservatione seu reformatione personarum, locorum et ordinum prædictorum juxta rei exigentiam auctoritate nostra faciendas et imponendas, poenasque convenientes in earum violatores infligendas et irrogandas. Synodosque capitula et convocationes tam speciales quam generales pro præmissis, vel aliis causis et rationibus quibuscunque quoties et quando et ubicunque vobis visum fuerit magis expedire, nomine et auctoritate nostris conciendos et convocandos, ac eas et ea celebrandi, continuandi et prorogandi,

clerumque et populum ad synodos et capitula hujusmodi convocandi et congregandi, ac synodis, capitulis et convocationibus hujusmodi interessendi et præsidenti; eaque inibi statuendi et ordinandi, quæ pro reformatione vel emendatione personarum, locorum et ordinum prædictorum visa fuerint quomodolibet expedire.

Dictasque ecclesias, loca et personas modis omnibus, quibus melius et efficacius valeatis ad statum honestiorem probationesque vivendi mores reducendi et reponendi.

Crimina quoque, excessus et delicta quoruncunque subditorum nostrorum juxta comperta et detecta quæcunque debite reformandi corrigendi et puniendi, quoscunque insuper subditos nostros pro præmissis, vel quibuscunque aliis causis ad forum ecclesiasticum quomodolibet spectantibus et pertinentibus, undicunque et quocunque infra hoc nostrum Angliæ regnum vobis videbitur melius expedire, ad vos et coram vobis citandi et evocandi. Contumacesque et rebelles tam per censuras et poenas ecclesiasticas, quam per mulctarum impositionem ac alia juris hujus regni nostri remedia coercendi et puniendi. Causasque et negotia ecclesiastica hujusmodi cognoscendi, examinandi ac fine debito terminandi et subditos hujusmodi rei per vos judicatæ stare et acquiescere cogendi et compellendi. Resignationes insuper sive cessiones ecclesiarum seu locorum quasunque et quoruncunque, prædictorum factas sive faciendas, recipiendi et admittendi.

22.

Ecclesiasque et loca resignata, vacantia et pro vacantibus habenda fore pronuntiandi et declarandi. Licentiasque ad tractandum, communicandum et concludendum de et insuper pensione ex fructibus et emolumentis, nec non dictarum Ecclesiarum et locorum commissarium assignandum; nec non de et super quacunque permutatione fienda, quibuscunque personis idoneis id petentibus concedendum, pensionesque annuas, congruas et moderatas resignantibus hujusmodi assignandum et limitandum, ecclesiasque et loca prædicta de et super pensionum hujusmodi solutione et præstatione onerandum et obligandum; ac decreta et summas in ea parte necessarias, seu requisitas ferendas et promulgandas.

Electionibus quoque prælatorum qui per electionem hujusmodi assumi soleant quoruncunque interessendi præsidenti, eligentesque in iisdem dirigendi et informandi. Electiones insuper quasunque rite factas et celebratas, et personas electas

sive eligendas confirmandi, ac aliter factas et celebratas cassandi et annullandi, ac rite electos et confirmatos installandi seu installari faciendi. Institutiones quoque et investituras in quibuscunque Ecclesiis et locis prædictis pendente visitatione nostra hujusmodi, personis idoneis et rite presentatis quibuscunque conferendi et concedendi, ac eas in realem, actualem, et corporalem possessionem Ecclesiarum et locorum prædictorum inducendi, seu sic induci faciendi, atque mandandi, cum suis juribus et pertinentiis universis. Quæcunque insuper instrumenta litterasque tam testimoniales quam mandatorias, et rescripta alia quæcunque in ea parte necessaria opportuna &c. Desunt cætera.

XXXI.

The Archbishop of Canterbury's Mandate, to inhibit the Provincial Bishops the Exercise of any Jurisdiction during the King's Visitation.

Thomas permissione divina Cantuariensis Archiepiscopus, &c. Venerabili confratri nostro Johanni Londinensi episcopo salutem, &c. Cum nuper recepimus serenissimi domini nostri Henrici Octavi, Dei gratia Angliæ et Franciæ regis, &c., ac in terris supremi Ecclesiæ Anglicanæ sub Christo capitis, literas inhibitionis, sub verborum tenore sequentium.

Regist.
Stokesly,
fol. 47.
Sept. 1535.

Henricus Octavus Dei gratia Angliæ et Franciæ Rex, Fidei Defensor, Dominus Hiberniæ, ac in terris supremum Ecclesiæ Anglicanæ sub Christo Caput; dilecto nobis reverendissimo in Christo patri Thomæ miseratione divina Cant. archiepiscopo, et totius Angliæ primati, salutem. Cum nos auctoritate nostra suprema ecclesiastica, omnia et singula monasteria, domos, prioratus, ecclesias, et loca alia ecclesiastica quæcunque, totumque clerum infra et per totum nostrum Angliæ regnum constitutum, propediem visitare statuerimus; vobis tenore præsentium stricte inhibemus atque mandamus, et per vos suffraganeis confratribus vestris episcopis, ac per illos suis archidiaconis, infra vestram provinciam Cantuariensem ubilibet constitutis, sic inhibere volumus atque præcipimus, quatenus pendente visitatione nostra hujusmodi, nullus vestrum monasteria, ecclesias et alia loca prædicta, clerumve visitare, aut ea quæ sunt jurisdictionis exercere, seu quicquam aliud in prejudicium dictæ visitationis nostræ generalis attemptare præsumat, sub

pœna contemptus: in cujus rei testimonium, has præsentēs literas inde fieri, et sigilli nostri quoad causas ecclesiasticas utimur, appensione communiri curavimus.

Dat. decimo octavo die mensis Septembris, an. Dom. 1535, et regni nostri 27.

XXXII.

The Founder of an Abbey or Hospital's Letter to the Bishop, to confirm the Election of the Head of the House.

Regist.
Fitzjames.
A. D. 1515.

Reverendo in Christo patri domino et domino Ricardo permissione divina episcopo Londinensi, suus humilis et devotus Rogerus Wentworth Miles, reverentias omnimodas tanto patri debitas cum honore. Cum religiosus vir frater Gulielmus Barlow prior prioratus Sancti Nicolai de ——— ordinis Sancti Augustini, vestræ Londinensis dioceseos fuerit et sit in priorem prioratus de lega, per conventum ejusdem canonice electus, et nobis ejusdem prioratus patrono, per litteras patentes sigillo communi dicti prioratus, ut moris est, præsentatus; nos, ut patronus ejusdem prioratus, dictæ electionis nostrum præbemus consensum, personam ipsius electi acceptam Deo, prout credimus, placitam, et hominibus acceptam, humiliter, suppliciter et devote petimus, quatenus electionem de dicto fratre Gulielmo, ut præmittitur factam et celebratam, confirmare, cæteraque peragere quæ vestro in hac parte incumbunt officio pastoralis, gratiose dignemini cum favore.

In cujus rei testimonium sigillum meum quoad arma apposui.

Dat. apud Gosfield, Julii 20, an. Dom. 1515.

XXXIII.

The Prior of St. Austin's, London, Oath of Canonical Obedience to Bishop Tunstal.

Tunstal.
Regist.
fol. 57.
A. D. 1524.

In Dei nomine, Amen. Coram vobis venerabili viro magistro Galfrido Wharton decretorum doctore, reverendi in Christo patris et domini domini Cuthberti permissione divina Londinensis episcopi, vicario in spiritualibus generali; ego Nicolaus Hancock electus in priorem domus sive prioratus Sanctæ Trinitatis, ordinis Sancti Augustini, London. dioceseos et juris-

dictionis, juro ad hæc sancta Dei Evangelia, per me hic corporaliter tacta, quod reverendo in Christo patri et domino, domino Cuthberto, permissione divina London. episcopo moderno meo, et dicti prioratus mei ordinario, et diocesano, suisque successoribus canonice intransantibus ac suis ministris, in omnibus licitis ac canonicis mandatis obediens ero, et canonicam obedientiam exhibebo, necnon in factis debitam reverentiam, dicto reverendo patri, et suis ministris impendam, et in verbis effectualiter exhibebo.

Insuper quod honorem et augmentationem divini cultus in dicto monasterio pro posse meo conservabo, et statum ejusdem domus, quantum in me est, meliorabo; necnon fundationem; statuta regularia quoque, et laudabiles consuetudines dictæ domus manutenebo et observabo. Quodque ad synodum seu visitationem dicti reverendi patris, vel successorum suorum vocatus veniam, nisi præpeditus fuero legitimo et canonico impedimento. Possessiones insuper et bona immobilia sive jocalia dictæ domus, sine consilio dicti reverendi patris aut successorum suorum, etiam cum consensu capituli mei non alienabo nec impignerabo, nec diminuam, neque devastabo. Sed quod bona dictæ domus dispersa pro posse meo congregabo. Sic me Deus adjuvet, et hæc sancta Dei Evangelia. Insuper in hiis scriptis verbo promitto, quod in singulis annis fidele compotum de statu dictæ domus confratribus meis canonicis, ibidem in domo nostra capitulari faciam, reddam, et exhibebo.

23.

John Baker, another prior of the order of St. Austin's, London, besides the particulars in the oath last mentioned, swears not to renew any leases, or grant a longer term in any manors, tenements, &c. belonging to the house, without a license from the bishop.

Regist.
Tunstal.
fol. 58.

XXXIV.

*A Form for installing or consecrating an Abbess; composed by
Theodorus, Archbishop of Canterbury.*

In ordinatione abbatisæ, episcopus debet missam cantare, et eam benedicere hoc modo: post antiphonam ad introitum, et datam orationem, et reliquum officium missæ, usque ad Evangelium, prosternat se electa ante altare retro episcopum, cum duabus vel tribus de sororibus suis, fiantque ibi Litaniæ.

Ordo Romanus.
Hittorpius, p. 163.



Deinde, Pater noster, cum precibus istis, *Salvam fac ancillam tuam Domine Deus meus sperantem in te. Dominus conservet eam, et vivificet eam. Et beatam faciat eam in terra. Dominus custodiat introitum tuum et exitum tuum ex hoc nunc et usque in sæculum. Dominus custodiat te ab omni malo. Custodiat animam tuam Dominus. Mittat tibi Dominus auxilium de sancto. Et de Sion tueatur te. Nihil proficiet inimicus in eam. Et filius iniquitatis non nocebit ei. Esto illi Domine turris fortitudinis, a facie inimici. Exurge, Domine, adjuva eam. Et libera eam propter nomen tuum. Domine, exaudi orationem meam, et clamor meus ad te veniat. Precibus finitis, benedicat eam episcopus, inclinato capite dicens: Dominus vobiscum: Et cum spiritu tuo. Sequitur oratio.*

Oremus.

Concede, quæsumus omnipotens Deus, affectui nostro tuæ miserationis effectum, et famulam tuam quam ad regimen animarum elegimus, gratiæ tuæ dono proseguere, ut te largiente, cum ipsa tibi nostra electione placeamus. Per Dominum nostrum.

Tunc imponat ei manum super caput, dicens hanc præfationem.

Vere dignum et justum est, æquum et salutare: nos tibi semper et ubique gratias agere Domine Sancte, Pater Omnipotens, Æterne Deus.

Respice, quæsumus, super hanc famulam tuam, quam in tui nominis vice custodem monacharum ordinamus. Immitte ei Domine spiritum sapientiæ et intellectus, spiritum consilii et fortitudinis, spiritum scientiæ et pietatis, et reple eam spiritu timoris tui quatenus tua gratia præventa, nihil contra tuum præceptum faciat, doceat, constituat, vel jubeat: sed magis mentes discipularum tam exemplis bonorum operum, quam verbis instruat; et quæ discipulabus docuerit esse contraria, in operibus suis judicet non agenda. Sit in omnibus operibus suis provida et considerata: sit sobria et casta, sit vita probabilis, sit sapiens et humilis, sit benigna et charitativa, sit in pauperum peregrinorum susceptione assidua, sit in hospitalitate hilaris, sit pia et misericors, et semper misericordiam superexaltet judicio, ut ipsa a te sequissimo iudice veniam consequatur. Fac eam Domine te solum ex totius viribus

suis diligere, jejunium amare, corpus castigare, delicias non appetere, tribulatis subvenire, neminem odisse, zelum injustum et invidiam non habere, suspicionem omnino devitare, in tuo nomine pro inimicis exorare. Fac eam semper agnoscere, quia tibi redditura est rationem villicationis suæ, et quantas sub cura sua animas habuerit, ipsas sine dubio ante sedem majestatis suæ sit latura. Quapropter tibi piissimo pastori supplicamus, ut ad humilitatis nostræ orationes, cor ejus gratia tua illustrea, quo possit quæque singula ita discernere atque temperare, ut fortes habeant quod cupiant, et infirmæ quod non refugiant. Da illi Domine spiritum compunctionis, ut cœlestia semper diligit, et inextinguibilem Gehennæ ignem ante mentis oculos sibi proponat, quatenus supernorum dulcedine gaudiorum, et infernalium amaritudine tormentorum, semetipsam irreprehensibilem custodiat, ut cum creditis sibi ovibus in tremendo examine gaudeat, et cum omnibus sanctis tuis immarcescibilem cœlestis regni coronam accipiat. Per Dominum, &c. Tunc det ei regulam, dicens :

Accipe regulam a sanctis patribus nobis traditam, ad regendum nobis custodiendumque gregem tibi a Deo creditum, quantum Deus ipse te confortaverit, ac fragilitas humana permiserit.

Oratio.

Domine Deus omnipotens, qui sororem Moysis Mariam præeuntem cum ceteris mulieribus inter æquoreas undas cum tympanis et choris læta mente ad littus maris venire fecisti, te supplices deprecamur pro famula tua, quæ hodie materna in cathedra super universas subditas sibi abbatissa constituitur, ut ita monastica norma tueatur cunctas famulas tuas, quatenus ad æternam gloriam te auxiliante cum omnibus illis introeat læta, ibique exultans cum angelis canens cantica nova, sequatur Agnum quocumque ierit, Christum Dominum nostrum. Qui tecum vivit et regnat Deus.

The Form at the Veiling of a Nun : or, Consecratio Virginum quæ a sæculo conversæ, in domibus suis susceptum castitatis habitum, privatum observare voluerint.

Benedictionem velaminum require retro in consecratione sanctarum virginum. Ancilla Dei virgo, cum ad consecra-

24.

tionem sui episcopi offertur, in talibus vestibus applicetur, qualibus semper usa est professioni et sanctimonie aptis. Procedente ergo episcopo ad officium more solenni, imponatur antiphona ad introitum, et cetera usque ad Evangelium: professus illa de religiosi habitus observatione perpetua, prosternatur ante altare toto corpore, obsecrans intente consecrationum largitorem, et imponat schola Litaniam. Qua finita, eademque ancilla Dei erecta, et humiliter ante altare nudo capite inclinata, episcopus dicat hanc prefationem in ejus consecrationem.

Prefatio.

Oremus, fratres charissimi, misericordiam Domini, ut illud donum tribuat huic puellae, quae Deo votum vovit, vestem candidam perferre cum integritate coronae in resurrectionem vitae aeternae, quae futura est nobis.

Sequitur Benedictio.

Famulam tuam, Domine, tua custodia munit pietatis, ut virginitatis sanctae propositum, quod te inspirante suscepit, te protegente illaesum custodiat. Per.

Alia.

Deus, qui habitaculum tuum in corde pudico fundasti, respice super hanc famulam tuam, ut quae castigationibus assiduus postulat, tua consolatione percipiat. Per.

Sequitur Benedictio.

Benedicat te Deus Pater, et Filius, et Spiritus Sanctus, in omni benedictione spirituali, ut maneat sine macula sub vestimento sanctae Mariae Matris Domini nostri Jesu Christi. Qui vivit. Ad missam. Preces famulae tuae, quaesumus Domine. Ut supra. Secreta. Votivis, quaesumus, Domine, famulae tuae adesto muneribus, ut te custode servata, haereditatem benedictionis aeternae percipiat. Per.

Infra agenda.

Hanc igitur oblationem famulae tuae N. quam tibi offerimus ob diem natalis sui, quo eam sacro velamine protegere dignatus es, quaesumus Domine placatus accipias, pro qua majestati tuae supplices fundimus preces, ut in numerum sanctarum virgi-

num eam transire præcipias, quatenus tibi sponso suo venienti cum lampade inextinguibili possit occurrere, atque intra regna coelestia gratias tibi referat, choris sanctarum virginum sociata. Diesque nostros, &c.

Another Form at the Veiling of a Nun, extracted out of the old Gallican Liturgy.

Benedictio super Virgines.

Omnipotens sempiterne Deus, adjuva quas virginitatis honore dignatus es decorare. Perferant inchoati operis consummatum affectum, et votorum suorum expediant institutum : virginali habitu perfectam tibi offerant plenitudinem ; et initia sua perducere mereantur ad finem : ut matura sanctimonie cumulent merita, et centenarium munus de perfecto agone virginitatis accipiant.

Mabillon.
de Liturg.
Gallican.
lib. 3. p. 311.

Consecratio Virginum.

Castum veri Dei cultum incorrupta religione retinentes, inviolabilis naturæ Dominum suppliciter oremus ; ut hanc famulam suam corroboret ; quæ sanctam et maximam acceptabilem Deo virginitatem, adsumptis spiritalium cogitationum viribus, dedicavit, bene concepto mentis proposito perseveret : ut virginitas, quæ Ecclesiæ comparatur, et similitudine divinæ immortalitatis induitur, perennitatis gratiam consequatur. Per Dominum.

Deus, castorum corporum benignus habitator, et incorruptarum Deus amator animarum, Deus qui humanam substantiam in primis hominibus diabolica fraude vitiata, ita in verbo tuo, per quod omnia facta sunt, reparas, ut eam non solum ad primæ originis innocentiam revoces ; sed etiam ad experientiam bonorum, quæ in novo sæculo sunt habenda, perducas ; et obstrictos adhuc conditione mortalium, jam ad similitudinem provehas angelorum : respice Domine super has famulas tuas, quæ in manu tua continentis suæ propositum conlocantes, tibi devotionem suam offerunt, a quo ipsa vota sumpserunt. Quomodo enim animus mortali carne circumdatus, legem naturæ, libertatem licentiæ, vim consuetudinis, et stimulos ætatis evinceret ; nisi tu per liberum arbitrium hunc amorem virginitatis clementer accenderes ; tu hanc cupiditatem in earum corde benignus aleres ; tu fortitudinem ministrares ? Effusa namque

in omnes gentes gratia tua, ex omni natione quæ est sub cœlo, in stellarum innumerabilem numerum Novi Testamenti hæredibus adoptatis, inter cæteras virtutes, quas filiis tuis non ex sanguinibus, nec voluptate carnis, sed de tuo Spiritu genitis, indidisti, etiam hoc donum in quorundam mentes de largitatis tuæ fonte defluxit : ut cum honorem nuptiarum nulla interdicta minuissent, ac super copulam tuam benedictio permaneret ; existerent tamen sublimiores animæ, quæ non hoc concupiscerent, quod habet mortale connubium ; sed hoc eligerent, quod præmittit divinum Christi Ecclesiæque sacramentum. Agnovit auctorem suum beata virginitas : et æmula integritatis angelicæ illius thalamo, illius cubiculo se devovit, qui sic perpetuæ virginitatis est sponsus, quemadmodum perpetuæ virginitatis est filius. Implorantibus ergo auxilium tuum Domine, et confirmari ex benedictionis tuæ consecratione cupientibus, da protectionis tuæ munimen : ne hostis antiquus, qui excellentiora studia subtilioribus infestat insidiis, ad obscurandam perfectæ continentię palmam per aliquam serpat mentis incuriam ; et rapiat de proposito virginum, quod etiam moribus decet inesse nuptiarum, sit in eis, Domine, per donum Spiritus tui prudens modestia : et quod sunt professa custodiant, scrutatori pectorum non corpore placituræ, sed mente. Transeant in numerum sapientium puellarum ; ut cœlestem sponsum accensis lampadibus cum oleo præparationis expectent : nec turbatæ improvisi regis adventu, secuturæ cum lumine, ut præcedentium choro jungantur, occurrant ; nec excludantur cum stultis. Regalem januam cum sapientibus virginibus licenter introeant ; et in Agni tui perpetuo comitatu probabiles mansura castitate permaneant. Per.

Accipe puella pallium, quod perferas sine macula ante tribunal Domini nostri Jesu Christi : cui flectit omne genu cœlestium, et terrestrium, et infernorum. Benedicat te Conditor cœli et terræ, Deus Pater omnipotens : qui te eligere dignatus est ad instar sanctæ Mariæ Matris Domini nostri Jesu Christi ad integram et immaculatam virginitatem, quam professa es coram Deo et angelis sanctis. Idcirco serva propositum ; serva castitatem per patientiam : ut coronam virginitatis tuæ accipere merearis. Nunc exoro Domini nostri Jesu Christi divinam misericordiam ; ut hanc virginem consecrare ac sanctificare dignetur usque in finem. Per.

Benedicat te Deus Pater, et Filius, et Spiritus Sanctus

omni benedictione spiritali: ut maneat sine macula sub vestimento sanctæ Mariæ Matris Domini nostri Jesu Christi. Qui tecum vivit et regnat in sæcula sæculorum.

XXXV.

The Opinion of Gardiner, Bishop of Winchester, concerning the Articles presented to the King's Highness by the Princes of Germany at the Conference at Smalcald: where the Articles were proposed to the King's Agents, the Bishop of Hereford, &c. An. 1536.

25.

As touching the first Article.

If this article be granted, then shall the King's Highness be bound unto the Church of Germany; and without their consent may not do that the Word of God shall permit, unless the common consent doth concur hereunto.

Cleop. v.
fol. 213.
Gardiner
was then
ambassador
in France.

Whereupon if this capitulation be lawful, and shall bind, then shall the bishop of Rome draw it for an argument to his part, that the Word of God may be restrained to a common assent.

Wherefore a league or band herein, in such terms, is in my judgment incompatible: for by the Word of God, both they may reform their opinion without our assent, and we without theirs, whatsoever league were made to the contrary.

And as for the world, inasmuch as the King's Highness being of the estate of a king, and in his realm an emperor, and head of the Church of England: and among the princes of Germany, only dukes, and lower degrees, such also as know ledge the emperor for their supreme lord. By reason whereof, the same reasons whereby we prove by Scripture the King's Majesty head of the Church of England, we prove also the emperor head of their Churches. How shall they, then, without the consent of the head of their Church, which is the emperor, establish with us the agreement upon their religion? Or how shall we, without derogating the king's cause of his prerogative and supremacy, covenant with them in that behalf, whom we know are no heads of their Church, but inferior members, as long as they knowledge a superior in the same Church; that is to say, themselves as subjects to the emperor? For as we must be ordered by our head, the King's Highness,

so will the emperor also that they should be ruled by him, according to the Word of God. If they herein will not agree with us, then shall we vary in a great matter. For either they must deny the emperor their superior, wherein they be very scrupulous, and seem to attribute very much unto him ; or else, granting that, they must, according to our opinion, which is truth, grant him the head of the Church. Then it follows, that without him they can establish nothing, but such as he alone, by the Word of God, may reform at all times.

As touching the second.

The King's Highness might make such a promise unto them as is contained in this article, and thereby be bound, so as by the Word all were discussed. But on their part, I see not how their promise can stand, and be sure, because they know ledge a subjection to the emperor.

To the third Article, as concerning the Council to be indicted as they have answered to the Bishop of Rome.

Inasmuch as the King's Highness hath nothing to do with the emperor, I see not how his grace should agree to any council to be indicted by the said emperor ; and yet this article doth import that effect : in that it makes an exception of such a council as should be indicted according to the answer made to Peter Paul.

As touching the fourth Article.

The King's Highness may accomplish this article on his part ; but I see not how they could do any thing again for their part, in letting the council, for as much as touches them in case the emperor would as emperor call the council.

To the fifth Article.

Me seemeth the word *association* sounds not well, ne it were convenient that the King's Highness should have any lower place than to be chief, principal, and head of the league ; and the rest not to be associate, but adherent and dependent hereunto as contrahents : and if any were, only the duke of Saxony to be associate, whom, for that he is elector, the

King's Highness has been accustomed to write his cousin, &c. The rest of the articles concerning mutual defence and money, be very good for the said princes, for they shall be sure of a great prince to their friend : and herewith a sum of money in hand, wherewith they might be per case relieved ; but as for a *reciproque*, I see none to the King's Highness for their part again ; inasmuch as they be so far off, and call themselves the emperor's subjects.

Finally, when they desire to have all things agreed unto before they send an ambassador to the King's Highness, they speak therein wisely for their own commodity ; for so shall they still obtain the glory that they shall then send unto us, not to learn of us, but to instruct and teach us ; not to sue to us, but to direct our Church in such ceremonies, as by their deliberation should be communioned off and concluded.

Thus, Mr. Secretary, according to your letters I write unto you what I think ; that is to say, what doubts and scrupulosities I find in the matters : wherein per case I write somewhat amiss, because I understand not fully how they take the emperor in Germany, ne what will be their opinion in him ; but if they take him as I gather by their other writings they do, then our matters by way of league shall be so much the more perplexed with them, I would rather advise the King's Highness to give them money wherewith to defend truth, than to enter any league with such men, which as I fear cannot be fast bound again, and dwell also so far off. To hear their ambassadors, to commune also with them, to discuss the very truth, were very good ; but upon the Word of God to make a new knot, whereof the one end shall be in Germany, shall declare rather a change of a bond of dependency, than a riddance thereof. If the King's Highness can induce them wholly and uniformly to agree upon the mere truth, it shall be an honourable deed, beside the secret merit thereof ; but in case a bond were made, and then any of them should swerve from any piece of the capitulation by force of the emperor, a grief and displeasure should ensue without any commodity of redressing the same. I write the worst, for that never needs remedy, the best needs no commendation ; and the best, I doubt not, shall be followed with you. One thing I have thought good to put you in remembrance of, that it were well done, that they were moved there in Germany, to agree upon the king's stile,

because of his supremacy, as well as upon the cause of matrimony: wherein God has given sentence for the most part by the death of the dowager, and this cause is now so necessary as the other. For since my coming hither I have been assayed herein; and one said, he thought they in Germany would not agree thereunto, for fear of giving unto the emperor overmuch authority over them. Upon which occasion I made in this answer my first reason unto you: the king our master has a special case, because he is emperor in himself, and has no superior; other kings that knowledge an emperor had rather suffer any man else than the emperor to be the head of their Church. This I doubt not, by your wisdom, you can consider, and the emperor, which is too great already, they will in no wise make him greater.

XXXVI.

Propositions laid before the Council about the Pope's pretended Authority.

Biblioth.
Cotton.
Cleop. E. vi.
fol. 319.
A.D. 1533.
December.

First. It was moved to send for all the bishops of the realm, and especially for such as live nearest the court, and examine them apart, whether they can prove the pope superior to a general council; or whether he has any more authority by the law of God within this realm, than any other foreign bishop.

Secondly. Provided it was proved (which I perceive was not much questioned) that the authority of a general council was paramount to the pope's, that then this doctrine should be publicly set forth and preached by the bishops and clergy throughout the realm. And particularly the people should be taught, that the power formerly exercised by the popes in this realm was both a breach of the divine law, and an invasion upon general councils: and that this usurpation in England got footing only by the connivance of princes.

Item. That this doctrine should be preached, not only by the prelates and secular clergy, but likewise by all the religious in their respective houses.

Item. That the king's appeal from the pope to a general council should be printed, and affixed to every church door throughout England. That in case any fulminations should be discharged against the king or kingdom, it might then

appear to the world, that censures signify nothing, as being posterior to the king's appeal.

Item. That copies of the Appeal should be transmitted into all parts of Christendom, especially into Flanders: that the injustice of the bishop of Rome may be apparent to foreign princes.

Item. That all the nobles of this realm, as well spiritual as temporal, should write a remonstrance to the pope, upon the subject of the injuries and usurpations upon the king and kingdom.

Item. It was moved to send spies into Scotland, to feel the pulse of that court, and get information, whether that nation is concerting measures with any foreign prince.

Item. It was thought advisable that some persons of management might be dispatched into Germany, to sound the inclination of the princes of the empire, and conclude a league with them. The same method was to be taken, and the same negotiations carried on with the Hans towns, and with the cities of Nuremberg and Ausburgh.

The merchants likewise in Brabant were to be applied to for the purpose abovementioned.

Item. A regulation to be made for queen Catharine's (called the princess dowager) and the lady Mary's house; that is, to appoint their servants, and settle the train of their domestic.

The Resolution of the Council concerning some of these Propositions.

First. The suggestions mentioned in the first article with the circumstances depending, were referred to the dean and almoner, and other doctors, who were to consult their books, and return their answer to the lords of the council within a week. The bishops of London, Lincoln, and Bath were likewise summoned to appear before the council. Decemb. 2,
1533.

As to the other articles relating to the doctrine in the first, the council will determine nothing till the return of the answers abovementioned.

As to the remonstrance, a minute was ordered to be drawn up by the almoner: and that in the first place a copy of an old letter sent to the pope by the nobility in the reign of king Edward I.; and likewise a late letter, sent to the court of

Rome for the redress of grievances, should be laid before the council.

XXXVII.

An Instrument of Francis I., King of France, for the justification of the Marriage of King Henry VIII. with Queen Anna, and against the Validity of the former Marriage with Queen Catharine, notwithstanding the Pope's Dispensation.

Paper-office.

Franciscus Dei gratia Francorum Rex Christianissimus omnibus et singulis præsentibus lecturis et auditoribus salutem. Non honoris solum nostri verum etiam officii et pietatis ratio illud a nobis efflagitat, ut non modo fortunas sed etiam fidem, auctoritatem, gratiam, et studium omne nostrum adhibeamus ne cum amici longe charissimi et de nobis optime meriti injuria, justitia etiam et veritas negligantur. Hinc est quod cum serenissimus et invictissimus princeps, Henricus Dei gratia Angliæ Rex, Fidei Defensor, dominus Hiberniæ, charissimus frater ac consanguineus et perpetuus confederatus noster vigore cujusdam dispensationis a bonæ memoriæ Julio Papa illius nominis secundo, cum nobili muliere Catherina præclaræ memoriæ Ferdinandi et Isabella Hispaniarum regum filia, ac præclaræ memoriæ illustris principis Arthuri dicti serenissimi regis Henrici fratris naturalis et legitimi relicta, matrimonio olim de facto contraxerit, et ex eadem in eodem prætenso matrimonio filiam adhuc superstitem Mariam nomine suscepit. Cumque idem serenissimus rex dicti incesti matrimonii conscientia motus a præfata domina Catherina diverterit ac justissimis gravissimisque de causis nobis etiam satis cognitis et perspectis ad id inductus matrimonium cum clarissima ac nobilissima domina Anna nunc Angliæ regina rite legitime et realiter iniverit contraxerit et in facie Ecclesiæ solemnizaverit, et præclarissimam dominam Elisabetham Angliæ principem in eodem matrimonio procreavit et suscepit. Cumque præterea super illius dispensationis et matrimonii viribus ac justitia nec non supra dictæ dominæ Mariæ legitimitate et natalium defectu multæ gravesque quæstiones subortæ fuerunt; in quibus tractandis ac in judicio et veritate discutiendis nos bene multis argumentis perspeximus non eam quam oportuit æquitatis rationem ab ipso pontifice Romano habitam fuisse, et multa sive temporum iniquitate sive hominum vitio, contra omne jus fasque in præmissis et circa ea designata. Voluimus in hac

causa tam gravi integerrimos quosque nostri regni viros ac non modo in sacra theologia peritissimos, verum etiam juris ecclesiastici callentissimos consulere, quibus etiam mandavimus ut quid in tota hac causa secundum Deum et conscientiam sentirent fideliter nobis referrent atque responderent. Quoniam autem habitis prius inter eruditissimos viros matura deliberatione diligenti examinatione ac longo tractatu, nos ex eorum omnium et singulorum unanimi sententia et conformi relatione, liquido comperimus invenimus et plene intelleximus non solum quod dicta dispensatio fuit et est omnino nulla inefficax et invalida tam propter subreptionis et obreptionis vitia, quam propter alias causas maxime vero propter potestatis in dispensante defectum ex eo, viz. Quod matrimonia cum relictis fratrum decedentium sine liberis contracta, sint de jure naturali et divino prohibita. Nec Romanus pontifex nec ulla alia humana potestas possit dispensare ut illa aliquo modo legitimo fiant aut consistent; verum etiam cum præfatum matrimonium inter dictum clarissimum fratrem nostrum ac præfatam nobilem mulierem dominam Catherinam de facto ut præfertur contractum, fuit et est incestuosum, ac prorsus nullum ac etiam contra sacrosancta Dei præcepta atque adeo contra omnia jura tam divina quam humana usurpatum: quodque proinde dicta domina Maria in eodem pretenso matrimonio ut præfertur suscepta et procreata ad omnem juris effectum spuria et illegitima proles ac ex illicito et incesto coitu genita fuit et est, sicque ab omnibus reputari ac censi debuit ac debeat omnino. Ac etiam quod dictum matrimonium quod idem charissimus frater noster cum dicta clarissima domina Anna Angliæ regina contraxit, fuit et est omnibus modis sacrosanctum legitimum et validum. Quodque dicta illustris domina Elisabetha Angliæ princeps ex eodem matrimonio suscepta nec non alia quæcunque proles ex eodem matrimonio divina bonitate in posterum suscipienda, legitima fuit et est eritque et esse debet. Ac denique cum non solum multis ex reverendissimis Romanæ sedis cardinalibus inter quos primus fuit reverendissimus ille quondam Anconitanus, verum etiam ipse nuper bonæ memoriæ Clemens Papa Septimus ex certa et deliberata animi sui sententia cum nobis ipsis Marsiliæ tunc existentibus, tum alias sæpe oratoribus nostris tunc Romæ agentibus palam ac vivæ vocis suæ oraculo confessus sit et expresse declaravit se sentire dictam dispensationem et matri-

monium cum dicta domina Catherina contractum, fuisse et esse nulla prorsus et de jure invalida, atque eadem sic fuisse et esse per suam sententiam definitivam seu finale decretum declarasset pronuntiasset et definivisset, si privati quidem affectus et respectus humani non obstitissent. Nos igitur Franciscus Francorum rex antedictus ut justum veritati suffragium ferentes, simul et justissimæ charissimi fratris nostri causæ patrocinemur notum facimus et in publicam testationem deduci volumus per præsentés; quod nos primam quidem dictam dispensationem quæ ab dicto Julio secundo ut prædicitur emanavit, nullam prorsus ac minus validam, et ex dictis causis inefficacem irritam et inanem fuisse semper et esse. Deinde ipsum matrimonium quod ejusdem dispensationis virtute cum dicta domina Catherina olim de factò contractum fuit, incestuosum nullum ac omnino illegitimum, ac naturali juri et divino contrarium fuisse et esse, ac pro incestuoso, nullo minusque legitimo haberi debere. Denique dictam dominam Mariam ex eo matrimonio ut præmittitur susceptam prorsus illegitimam et ad succedendam in paterna hæreditate prorsus inhabilem fuisse et esse, et pro tali haberi censerique debere reputamus, acceptamus, judicamus, asserimus, censemus et affirmamus. Similiter reputamus, acceptamus, judicamus, asseremus, censemus et affirmamus quod matrimonium illud quod idem serenissimus rex ac charissimus frater noster cum præfata illustrissima domina Anna contraxit, fuit et est modis omnibus sacrosanctum legitimum et validum, et quod proles ex eodem matrimonio suscepta seu suscipienda, maxime autem dicta clarissima domina Elisabetha nunc Angliæ princeps ex iisdem ut præfertur procreata ad omnem juris effectum legitima fuit et est eritque et esse debet. Quodque non solum omnia et singula quæ dictus serenissimus rex et charissimus frater noster pro confirmando et stabiliendo hujusmodi matrimonio suo quod cum præfata illustrissima domina Anna Angliæ regina contraxit, nec non pro dictæ dominæ Elisabethæ filiæ suæ ac aliorum liberorum qui ex hoc matrimonio procreabuntur legitima et hereditaria in regnum successionem statuit, ordinavit aut promulgavit, justissimis et æquissimis fundamentis innitantur et subsistant. Verum etiam quod omnia et singula sententiæ censuræ et decreta ac alia quicunque processus et judicia contra præmissa ac eorum occasione per bonæ memoriæ Clementem nuper pontificem Romanum, aut alium quemcunque judicem, sive aliam

autoritatem quameunque facta edita aut promulgata, aut in posterum edenda, ferenda, facienda sive promulganda sunt ipso jure nulla irrita injusta et iniqua, ac pro talibus haberi, reputari ac judicari et censeri debere, certo credimus, constanter attestamur, censemus, asserimus et affirmamus per præsentes. Promittimus insuper in fide ac verbo regio ac sub hypotheca omnium bonorum nostrorum patrimonialium et fiscalium, nec non bonorum subditorum nostrorum etiam in forma contractus guarantitii paratam executionem habentes, obligamus nos, hæredes et successores nostros dicto serenissimo Henrico charissimo fratri nostro hæredibus et successionibus suis, quod nos hanc animi nostri sententiam et iudicium quod super præmissis nos habere vere et ex animo declaravimus, semper et ubique locorum maxime autem in omnibus et singulis futuris synodis aut conciliis generalibus et coram quibuscunque iudicibus, nec non apud et contra omnes homines quicunque eidem sententiæ nostræ quacunque ratione adversabuntur, cujuscunque autoritatis præeminentiæ aut dignitatis, etiam si supremæ fuerint, per nos ac nostros subditos quoscunque tam in iudicio, quam extra, manu tenebimus propugnabimus, ac si opus fuerit etiam manu forti defendemus ac pro viribus justificabimus, nec ullo unquam modo aut tempore in posterum publice aut occulte directe aut indirecte eidem sententiæ nostræ contraveniemus, nec quicquam unquam attentabimus moliemur aut faciemus, nec ab aliis in posterum cujuscunque autoritatis fuerint fieri aut attentari quantum in nobis est permittemus quod in irritationem, enervationem, præjudicium, aut in contrarium huic nostræ sententiæ cedat, aut cedere possit quovis modo. In cujus rei testimonium, &c.

28.

XXXVIII.

The Opinion of certain of the Bishops and Clergy touching a General Council, in the reign of King Henry VIII.

Though, that in the old times, when the empire of Rome Paper-office. had his ample dominion over the most part of the world, the first four general councils, which at all times have been of most estimation in the Church of Christ, were called and gathered by the emperor's commandment, and for a godly intent, that heresies might be extinct, schisms put away, good order and manners in the ministers of the Church, and the people of the

same established: like as many councils more were called till now of late, by the negligence as well of the emperor as other princes, the bishop of Rome hath been suffered to usurp this power; yet now, forasmuch that the empire of Rome and the monarchy of the same has no such general dominion, but that many princes have absolute power in their own realms, and a whole entire monarchy, no other prince may by his authority call a general council: but that if any one or more of these princes, for the establishing of the faith, for the extirpation of schisms, do lovingly, charitably, with a good sincere intent to a sure place, require any other prince,—or the rest of the great princes be content to agree, that, for the wealth, quietness, and tranquillity of all Christian people, by his or their free consent a general council might be assembled,—that prince or those princes, so required, are bound by order of charity, for the good fruit that may come of it, to condescend and agree thereunto, having no lawful impediment nor just cause to the contrary. The chief causes of the general councils are before expressed.

—In all the ancient councils of the Church, in matters of the faith, and in interpretation of Scripture, no man made definite subscription but bishops and priests, forasmuch as the declaration of the Word of God pertains unto them.

John xx.
22, 23.

The words of John, in his 20th chapter,—“Sicut misit me Pater, et ego mitto vos,” &c.—have no respect to a king’s or prince’s power; but only to show how that the ministers of the Word of God, chosen and sent for that intent, are the messengers of Christ, to teach the truth of his Gospel, and to “loose” and “bind” sin, &c., as Christ was the messenger of his Father. The words also of St. Paul, in the 20th chapter

Acts xx. 28.

of the Acts,—“Attendite vobis et universo gregi in quo vos Spiritus Sanctus posuit episcopos, regere Ecclesiam Dei,”—were spoken unto the bishops and priests, to be diligent pastors of the people, both to teach them diligently, and also to be circumspect that false preachers should not seduce the people, as follows immediately after in the same place. Other places of Scripture declare the highness and excellency of Christian princes’ authority and power; the which, of a truth, is most high; for he hath power and charge generally over all, as well bishops and priests as others. The bishops and priests have charge of souls within their own cures, power to minister sacraments, and to teach the Word of God: to the which

Word of God Christian princes knowledge themselves subject ; and in case the bishops be negligent, it is the Christian prince's office to see them do their duty.

T. Cant.	Hugo Wygorn.
Jo. London.	Johannes Roffen.
Cuthbert Dunelm.	Willielmus Abbas Monasterii
Jo. Bath et Well.	Sancti Benedict.
Thom. Elien.	Robertus Aldrydg.
Johannes Bangor.	Ricardus Coren.
Nicolaus Sarisburien.	Edvardus Leyghton.

In a paper drawn up in a fair hand against the pope's usurpation, and concerning the authority of general councils, these two propositions, amongst others, occur :—

“ 1. That a general council, lawfully convened, is and ought to be superior to all jurisdictions (either usurped and suffered as the papal, or justly holden as the king's), in all matters concerning the faith and direction of the whole Church of Christ, which ought to be judged thereby, and by the decrees of the same, only and by none other, they being consonant to the law of Christ.”

Cotton.
Libr. Cleop.
E. vi.
fol. 329.

“ 2. That princes have two ways principally, when none other can prevail, to attain right : i. e. in causes concerning the soul, being mere spiritual appellation to a general council ; in temporal causes, the sword only, except by mediation of friends the matter may be compounded.”

This paper seems to have been written soon after the king had appealed from the pope to a general council.

XXXIX.

Henricus Octavus Dei gratia Angliæ et Franciæ Rex, Fidei Defensor, Dominus Hybernæ, ac in terris sub Christo Ecclesiæ Anglicanæ Supremum Caput. Pio et Christiano Lectori.

Quandoquidem nulli obscurum esse potest, quam indefesse, et sedulo, Christi honorem et gloriam, deinde sacrosancti Evangelii cursum, dignitatem, lucem, et ornamentum quærere, illustrare, ornare, promoverique ac propagare ad reipublicæ

Responsio
H. 8. Regis
Angliæ ad
Bullam
Papalem
Pauli tertii.
Paper-office.

29.

Christianæ usum et commodum, nostrique regni Anglicani fructum et incrementum, omni qua potuimus sinceritate, veritate, ope, industria, et diligentia, semper et ubique studuerimus, ac nunc etiam non omnino negligimus, præsertim reputantes quantum ex officio divinitus demandato nobis sit injunctum, quamque dura et acerba administrati principatus ratio, a nobis tandem sit exigenda, visum est non admodum absurdum, (quanquam profecto ut libère et ex animi sententia loquamur, minime necessarium, utpote orbi universo, quantumlibet tacentibus nobis, clarius ac manifestius, quam vel ut a nobis dicendum sit, vel ut ab aliis honeste ac probe dissimulari, possit) testimonio præsentium fidem facere; primum principibus Christianis, deinde reliquis orthodoxis omnibus quotquot veritatem, non autem simulationem amplectuntur, nos nullo unquam tempore recusasse, aut subterfugisse, liberum, verum, purum, catholicum, pium, christianum et sincerum ac generale concilium; quinimmo sæpe id et per quam anxie, tum propter communem Ecclesiæ salutem, et utilitatem, tum propter morum et abusuum in Ecclesia reformationem ac emendationem, summis votis expetivisse, quemadmodum una nobis cum certum est bonos viros omnes, apud omnes gentes cum totis studiis expetere: quis enim, præsertim ista tempestate, hoc turbulentissimo tempore, non vere id et ex animo expeteret? non efflagitaret et non omnibus denique votis exposceret? quando Christi, ejusque sponsæ Ecclesiæ vera doctrina, quæ Christianorum omnium pabulum esse debet, prorsus est profligata, oppressa, et proculcata; quando Christi fides, et religio, tot, tamque indignis modis est tractata foedataque: quando sit ubique, et tam impune impietas in Christi contemptum, et ignominiam, grassatur, et regnat: denique cum sursum ac deorsum volvuntur omnia.

Verum ut in liberum ac pium concilium hujusmodi, hactenus semper propensi fuimus, et in præsentī sumus, erimusque, præterea (Deo vitam prorogante et coëptis nostris feliciter aspirante) omnino in futuro; quo scilicet tranquillitas Ecclesiæ Catholicæ restituatur, et salubris aliqua medicina afflictis rebus opem ferat: ita in concilium violentum, impium, insincrum, nefarium, et illegitimum, neque ipsi consentiemus, neque authoris erimus amicis, ut ipsi rei tam impiæ tamque periculosæ temere unquam consentiant:

Cum itaque nuper fama et rumore, magis quam certa aliqua

significatione, aut intimatione consueta intellexerimus Paulum, episcopum Romanum, de facto quum id de jure non potuit, synodum, seu (ut ipse appellat) et generale et œcumenicum concilium Mantuæ in partibus Italiæ celebrandum temere et illegitime nulliterque et inique indixisse, ac multos principes et prelatos, ad synodum et locum hujusmodi, pari temeritate, injuria, et nullitate, evocasse, statim ob oculos versabatur quod in eo loco, eoque ex concessu, si quid tandem possent, fraus, impostura, calliditas, machinatio, dolus, improbitas, ambitio, auri sacra fames, largitio vel hypocrisis, expectandum est ubi Paulus ac sui complices et confederati lapidem omnem moturi sunt, quo regnum suum papisticum, et tyrannidem consolidare, ac stabilire possunt et valeant.

Nam quid quæso aliud tot retro pontifices egerunt, ubi de eorum honore, potestate, jurisdictione, asserto usurpatoque primatu et commodo, pertractabatur? Annon divina humanaque omnia miscuerunt, ut temporale mundanumque regnum sibi constituerent, et Christi legem violarent?

Verum hujus rei curam cogitationemque ut inutilem nihilque pene ad nos, nisi quod reipublicæ Christianæ bene consultum esse cupimus, spectantem; denique indignam quæ nostra studia occuparet rejecimus, deque arduis et gravibus regni nostri negotiis, ut par erat, cum ejusdem regni primatibus, virisque doctissimis consultandum deliberandumque fore censuimus.

Porro dextre tractatis ac compositis regni negotiis, quum incidenter de synodo, mentio denuo fuisset oborta, succurrebat diligentius, et quibus de rebus inter ipsum Paulum cæterosque catholicos principes et Christianos impræsentiarum controverteretur: et quæ remedia (quando nullo modo hic esse connivendum videbatur) essent exercenda.

Ququam vero certo et haud dubie fuerimus persuasi, nihil nobis subditisque nostris commercii esse cum illo homine; denique nos aut subditos nostros in asserta illa synodo hujusmodi neque comparere, neque nuncium aut procuratorem aliquem (attenta rei magnitudine et importantia) illuc mittere quavis ratione obligatos esse; tamen quo infirmitati aliorum juxta regulam evangelicam consulamus, tum ut orbis intelligat non libidine aliqua animi, sed honestis ac justis rationibus permotos fuisse nos, quominus aut ipsi veniremus, aut nuncium vel procuratorem aliquem hujusmodi mitterimus; dicimus,

proponimus et allegamus, necnon ad omnem juris effectum, qui exinde sequi possit et valeat, protestamur, citra tamen ipsius episcopi Romani prætensæ jurisdictionis, et auctoritatis prorogationem, aut in ipsum ipsiusque prætensam jurisdictionem, et usurpatam auctoritatem, consensum: quod cum mos indicendorum conciliorum episcoposque tum alios, tum ipsum quoque Romanum evocandorum, antiquitus is fuisse traditur, ut non unius Romani episcopi arbitrio, sed imperatorum, regum et principum, auctoritate, consensu, voluntate et mandato, indicerentur et fierent, (id quod ex optimis et probatissimis quibusque authoribus et testibus manifestius est quam ut possit inficiari) non debuit, immo non potuit Paulus prædictus (adhibitis secum cardinalibus creaturis (ut blasphemus ille blasphemæ appellat) suis, et conjuratis aliquot episcopis, omnia ut illi libeat licere affirmantibus) citra Christianorum principum consensum, voluntatem, auctoritatem ac mandatum, synodum aut indicare, aut (quod se facturum gloriose jactitat) in illa præsidere.

Quis enim ferat, aut æquum putet (nisi plane stupidus is sit, et rerum tam divinarum quam humanarum omnium imperitus aestimator) eum (Romanum dico qui cæteris episcopis par est et æqualis, nec ullam de jure divino superioritatem prærogativamque supra cæteros episcopos habeat, aut habere possit,) ea esse animi confidentia, elatione et superbia, audacia denique et arrogantia, supra quam dici possit sacrilega et nefanda, ut citra Christianorum principum consensum et auctoritatem, generale concilium indicare, reges et principes reluctantes, ac invitos imperiose ad id evocare: denique invitis omnibus contra expressum Dei verbum, sacrosanctamque illius voluntatem in Christianorum cœtu dominari; regnare in hominum conscientias, et (ut semel finiam) sub concordie et unitatis prætextu, quo incautos fallat, in causa propria (ubi de ipsius suorumque falsa et improba doctrina, de nonnullis traditionibus impiis et nefariis, denique de e mentito hactenus illius primatu et imperio agitur, de quo certe apud omnes justissima est querela cum is judicandus sit) judicare posse censeatur; ac omnia tam divina, quam humana figere, et refigere pro arbitrio. Quod si concilium illi indicare liquisset (id quod non licere et jam diximus, perpetuoque dicemus, astipulantibus nobis quotquot eruditi sunt, et pontifici ipsi Romano minime oberati) tamen belligerantibus inter se principibus Christianis, et tot tantisque

rerum tumultibus, occupatis, non conveniebat profecto ad concilium vocare, diemque ac locum præfigere, priusquam concordia, pax et tranquillitas inter illos principes coalescens, orbi fuisset reddita.

Nam id primum nisi actum fuerit, quid aliud est concilium indicere, quam vel oleum et operam (quod aiunt) perdere? negligentibus scilicet illis interesse, et intentos animos redintegrandis rebus adhibere, vel omnia in rem et utilitatem suam agere, dum illis bello et tumultibus vehementer implicitis, non vacat, aut non libet videre, quid interim tumultuantibus illis perficere designet? quorum alterum ut imperitum arguit, ita alterum impostorem plane, et vafrum hominem probat.

30.

Porro tam distantem et remotum locum, tam plenum periculis, tamque expositum et obvium injuriis, adhæc tam vicinum et propinquum ipsius Pauli ditionibus, consanguineis et amicis, denique in quo tanta tamque magna fertur illius esse potentia et fortitudo, assignare; quid aliud est obsecro, quam eos qui vel aliquantulum rerum usu sapiunt, ne talem locum accedant plane deterre, vel parum cautos et oscitantes, veluti in nassam pellicere?

Quis enim nisi demens prorsus, et plane mente captus, sciens prudensque ac volens, manifestis se exponat periculis, in hostium sinu se reponat, ac ad mortem per violentam injuriam, non autem per justitiam, ultroneum se, cum vitare liceat, offerat temere? quod sane facturus erit quisquis is fuerit, minime dubium est, qui Cremonæ vicinam Mantuam hac tempestate adiverit, et libidini Romani pontificis et imperio fuerit adversatus.

Verum ut detur Mantuam, cum accesseris, locum esse tutum (quod ipsum tamen nos justissimis causis adducti minime putamus), tamen non consequitur statim loca illa intermedia, per quæ omnino transeundum est, tuta satis esse et securâ.

Illâ autem tuta esse et securâ; secundum sit, leges omnes testantur et affirmant.

Quam vero non sint securâ et tuta, immo quam plena periculis, et quam obnoxia adversis casibus et injuriis, iis præsertim qui ab ipso episcopo Romano diversum sentiunt, omnes quotquot et locorum et rerum status, ac sæculi hujus calamitatis ac miseriæ vel mediocrem cognitionem habuerint, non difficulter pronuntiabunt putabuntque.

Ad hæc periculi etiam nonnihil ex defectu salvi conductus,

de quo nihil hactenus dictum fuit, oritur ab illis quorum ea sunt loca concedendi, qui cum non sit præstitus, temeritatem profecto argueret illius qui cum justus timor et metus eum excusant, periculoso nihilominus itineri se committeret: at præstitus quidem, (rebus sic se habentibus, ut habent, et tam potentibus principibus inter se tam atrociter contendentibus,) nihil habet in se solidi et firmi: sed adeo fragilem lubricamque cautionem continet et complectitur, ut qui illum habeat, securus magis quam tutus plerumque censi possit. Cujus rei fidem, etiamsi nihil esset aliud, facere possunt non pauci in papisticis illis conciliis olim neglecti salvi conductus, et contemptæ promissiones.

Sed hæc cum sint nobiscum aliis principibus communia, desinemus illa persequi; persequemur autem nunc (quanquam carptim et breviter cum nulli non sunt notæ deinceps dicturi sumus) ea quæ privatim et seorsim nos respiciunt. Qualia sunt quod idem Paulus animo est in nos hostili, et plusquam capitali, non raro id neque dissimulanter ostendens, sed palam et aperte. Deinde quod nuper cum quibusdam rebellibus subditis nostris, confederationes, et conspirationes iniverit et fecerit in nostrum regni nostri contemptum, præjudicium, offensam, et injuriam, rebellionem in dominiis nostris non christiane sed maliciose et fraudulenter concitando, ac subditos nostros, quantum in ipso fuit, ut nobis rebellarent, repugnarentque sollicitando; denique mediis illicitis, nunc pecuniis et præmiis, nunc fictis honoribus et titulis, nunc blanditiis ac promissis pertrahendo, non pacem veniens mittere in terram, sed gladium, ac gladium quidem alium quam Christus vel intellexerat, vel unquam exercebat.

In quem Paulum et pontifices certe Romanos jam ideo piget pudetque nos tam egregie fuisse munificos; quod Judæos illi imitati pro gratia contumeliam, pro beneficio injuriam nobis rependunt.

At valeant ingratiissimi homines, indigni qui vel hominum vocabulum habeant, quorum seditiosos conatus, quanquam Deo bene fortunante, irritos reddidimus, tutum tamen non videtur ad loca præsertim tam remota, in tantis rerum turbinibus, nos conferre, aut commissum nobis gregem negligenter deserere; ne absentibus scilicet nobis, astuta vulpecula, imo verius sanguinarius et rapax lupo, incustoditum, et defensore suo carentem gregem, crudeliter invadat, misereque dilaniet; tranquil-

litatem Christianorum non ferens, sed cædem, depopulationem, et ruinam quærens.

Manet quidem haud dubie, et alta mente repostum manebit, quod illius episcopi Romani super omnes gentes, ecclesias et regna, prætensum usurpatumque primatum non agnoscimus, quamquam nec agnoscere debeamus. Dolet illi non licere tyrannidem in regno nostro (quod licuit olim conniventibus majoribus nostris, et ut tunc ferebant tempora permittentibus) exercere. Iniquissimo fert animo non posse immensam auri vim fictis ac mendacibus titulis, indulgentiarum præsertim et diplomatum, congerere, et pro arbitrio exportare; denique in hoc regno non facere quod libet.

Verum utcunque res ceciderit, nos hæc illi tamen cum tanto religionis Christianæ detrimento, ac regni nostri non præjudicio solum, sed perniciæ, haud unquam concessuri permissurive sumus.

Porro cum nihil neque sacrosanctum, aut honestum, nihil denique quod aut Evangelicis litteris congruat, aut bonis moribus proficiat, in eo concilio (si ex principio et male jactis fundamentis quid deinceps secuturum sit libere liceat pronunciare) ipsi episcopo Romano statuere sit animus, nisi forsan (quod versuti plerumque solent) sub specie aliqua honestatis quædam in hominum gratiam concedet, quo deinceps liberius homines fallat minime suspicaces, non putavimus æquum, immo nec salva conscientia debuimus, nos, aut subditi nostri, procuratorem vel nuncium, tot refragantibus rebus, et existentibus impedimentis, ad eum locum, eam personam mittere, cujus jurisdictioni nullatenus nos subjici certum est; et quam veluti competentem in hac parte, nos et subditi nostri, ex causis prædictis, aliisque justissimis, nos et illos, respective moventibus, neque hic agnoscimus, neque (altissimo nostros conatus bene sicuti speramus moderante) agniture unquam sumus: id quod (quo magis fidem adhibeas) christiane ac pie lector, expresse ac dilucide dictum testatumque hic esse volumus: præsertim cum hoc concilium, quin verius conciliabulum (cur enim non ita appellare sit liberum, cum magis hoc, quam illud quadret?) a Paulo prædicto indictum designatumque, non eo spectare videmus quo sui et suorum impij errores, et abusus corrigantur et reformentur; sed ad opprimendum veritatem Evangelicam, regnumque papisticum, Antichristi autem imperium, stabiliendum ornandumque.

31.

Itaque quid facturi sint alii Christiani principes et fideles prorsus nescientes, ac quid denique nobis visum est paucis aperientes, (quod nostrum factum bonos omnes boni consulturos esse minime dubitamus) Deum Optimum Maximum cujus nutu ac renatu disponantur ac fiunt omnia, ex animo precamur, ut miseriarum humanarum, de piissima ac infinita illa et immensa sua benignitate, misertus, sublati ubique discordiis, ac gravibus rerum tumultibus, liberum tandem, sincerum, purum, verum, catholicum ac christianum oecumenicum concilium, de consensu principum congregatum, quo de illius honore et gloria, Christianorum omnium utilitate et fructu, catholice, concorditer ac unanimiter tractetur, suo gregi Christiano, cujus causa et amore, tot tamque diros et indignos cruciatus, tormenta, et afflictiones, unigenitus Dei Filius in hoc mundo sua sponte perpassus est, concedere dignetur. Pro quo celebrando quemadmodum hactenus nihil omnino prætermisimus, quod ut fieret expedire videbatur; ita nec prætermitemus unquam, ubi aliqua vel levissima occasio et opportunitas nobis dabitur.

Et tamen (ut libere sincereque et aperte loquamur) ea jam videtur esse et rerum, et temporum tam miseranda conditio, ut quanquam multa non solum dici, sed fieri etiam in Christi laudem, nominisque sui propagationem concupiscimus et optamus; tamen sic in immensum veteres errores et abusus crevere, et quotidie novi exoriuntur, ut salubrem aliquam medicinam multo facilius sit optare quam sperare; adeo quod (quemadmodum nobis videtur) vel nulla jam est, tot, tamque gravibus et multiplicibus, denique tam inveteratis, et confirmatis morbis sanandis, curandisque medicina ex parte consentanea, et sufficiens. Vel saltem hæc via esse videtur admodum compendiosa, ut si ad tollendos corrigendosque hujusmodi errores et excessus, concilium tale, loco, tempore, et circumstantiis legitimis, in hac rerum et temporum malignitate, congregari fieri, et haberi non possit, (id quod modis multis et rationibus plusquam videtur verisimile) saltem concilio provinciali, cum vide licet et vigilantia singulorum principum, in sua cujusque ditione, regimine et imperio, excessus et abusus hujusmodi debite reformarentur corrigerenturque: qua quidem in re nostrarum partium esse, obiter et reliquos Christianos principes nostro exemplo, factoque et consilio, redderem admonitos: ne callidis et vafri ipsius Pauli commentis et fraudibus, sub-

scribere, aut se illius usurpatæ, violentæ, et injustæ tyrannidi subicere, sed honorem ac majestatem suam integram, et sartam tectam habere velint, ac ut debita reformatio fiat, modis omnibus contendant.

Illud autem (quod minime tacendum est) addimus, quod si in hoc Mantuæ concilio (sic enim Paulus, non Apostolus tamen, nec adeo bonus episcopus appellandum censet, quamquam nos contrarium, et minime sic appellandum putamus) quicquam gestum, tractatum, ordinatum, seu conclusum fuerit, quod cum sacro Evangelio, religioneque Christiana prorsus, et omnimodo conveniat; qua quidem in re tamen, non Pauli illius judicio, conjuratorumque suorum et complicum; sed sententiæ et opinioni eorum qui vere et sincere Evangelio favent, accessuros nos esse profiteamur: non quia illic, aut ab ipso Paulo gestum et factum fuerit, sed quoniam revera jure divino est congruum, ac rationi humanæ consonum, accepturi probaturique sumus: id quod in infidelium etiam dictis et factis nos posse facere quis neget?

Quod si in illo asserto concilio quicquam tractetur, geratur, aut fiat, quod cum Evangelicis litteris pugnat, aut in Christi dedecus, ignominiam, et contemptum cedat; vel denique in Romani episcopi assertum, usurpatumque primatum et imperium, nostri aut amicorum nostrorum, vel subditorum regni nostri præjudicium, gravamen, aut injurias, tendat, (quod sane valde est verisimile futurum, et quasi certum, si ut coeperit, pergat, et ex præteritis futura liceat colligere) id nos non esse accepturos probaturosve, ut rejicere ac reprobare, damnareque protinus, et pro nullo irritum et inani habere velimus: id quod in casum et eventum hujusmodi, etiam exnunc non acceptamus, nec probamus; sed rejicimus, reprobamus ac damnamus per præsentem.

Protestantes postremo, quod fuit, et est intentio, animique nostri propositum et voluntas, hanc præsentem protestationem et singula contenta in eadem, pro loco et tempore opportunis et congruis, quotiens et quando nobis melius expedire, et magis prodesse videbitur, emendare, corrigere, reformare, ac in meliorem et competentiore formam redigere, necnon eidem addere, ac ab eadem subtrahere, juxta et secundum consilium doctorum proborumque virorum, prout juris fuerit et rationis.

Hæc sunt christianæ ac pie lector, quæ tibi, et per te cæteris omnibus dicta declarataque esse volumus: nihil addubitantes

quin jamdudum tibi persuaserimus, pontificem ipsum Paulum, et astute nobiscum, et inique hic egisse. Deinde honestissimas nos habere rationes quamobrem concilium illud declinavimus, ejusque concilii assertum mendacemque parentem, minime pro concilii præsidente, aut summo illius auctore, vel iudice aut monarcha, acceptandum putavimus.

Testamur autem apud te cæterosque catholicos et fideles, christiane lector, eam sinceram fidem, et doctrinam nos tenere, et (Deo dante) sincere et integre, quamdiu spiritus hos regit artus amplexuros, professuros, et retenturos esse, quam vera et catholica Ecclesia hactenus semper prædicavit et docuit: quodque ab hac veræ catholicæ Ecclesiæ unitate nunquam quavis causa vel occasione discessuri sumus: denique quod in tota hac causa nihil aliud expectamus aut quærimus, quam Dei gloriam, et publicam christiani orbis utilitatem et pacem: quam animi affectionem tam in nobis quam in reliquis principibus omnibus auctam abunde atque multiplicatam esse summis votis exoptamus. Quod præstare dignetur Jesus Christus, omnis boni et author et consummator: cui sit honor et gloria in æternum. Amen.

XXXIX.

King Henry VIII.'s Letter to some of the Bishops, reprimanding them for not reading the Articles lately set forth, and for speaking against some of the Ceremonies of the Church.

Ex Biblioth.
R. Harley,
Armig.
Nov. 20.
A.D. 1536.

Right reverend Father in God, right trusty and wellbeloved we greet you well: and whereas upon the good opinion which of your virtue, learning, and good qualities we had heretofore conceived, purely and plainly to set forth the Word of God, and instruct our people in the truth of the same, in a simple and plain sort for their better instructions, unity, quiet, and agreement in the points thereof, we advanced you to the room and office of a bishop within this our realm, and so endowed you with great revenues and possessions; perceiving after that, by the contrariety of preaching within this our realm, our said people were brought into a diversity of opinion, whereby there ensued contention among them, which was only engendered by a certain contemptuous manner of speaking against honest, laudable, and tolerable ceremonies, usages, and customs of the Church, we were enforced by sundry letters to admonish and command

you, amongst others, to preach God's Word sincerely, and declare abuses plainly, and in no ways contentiously to treat of matters indifferent, which be neither necessary to our salvation, as the good and virtuous ceremonies of holy Church, ne yet in any wise to be contemned and abrogate, for that they be incitements and motions to virtue, and allurements to devotion. All which our travel notwithstanding, so little regards you took to our advertisements therein, that we were constrained to put our own pen to the book, and to conceive certain Articles, which were by all you, the bishops and whole clergy of this our realm in convocation agreed on, as catholic, meet, and necessary to be by our authority, for avoiding of all contention, set forth, read, and taught to our subjects, to bring the same in unity, quietness, and good concord: supposing then that no personage having authority under us, as ye have, would either have presumed to have spoken any word that might have offended the sentence and meaning of the same, or have been any thing remiss, slack, or negligent in the plain setting forth of them, as they be conceived, so as by that means the fruit of quiet and unity should not grow thereupon, as we desired and looked for of the same. And perceiving afterwards by credible report, that our labours, travail, and desire therein, is nevertheless defeated, and in manner, by general and contemptuous words, contemned and despised: so that by the abstinence of direct and plain setting forth of the said Articles, and by the fond and contentious manner of speaking, that ye, and some others of your sort, do still use, against the honest rites, customs and usages, and ceremonial things of the Church: our people be much more offended than they were before, and in manner exclaim, that we will suffer that injury at your hands; whereby they think God, us, and our whole realm highly offended; insomuch as principally upon that ground, and for the reformation of your abuses therein, they have made this commotion and insurrection, whereby they have offended us, damaged themselves, and troubled many of our good subjects. We be now inforced for our discharge towards God, and for the tender love and zeal we bear to the tranquillity, love, and unity of our said subjects, again to address these our letters unto you, as a peremptory warning to advise you to demean and use yourselves as shall hereafter be declared, upon pain

of deprivation from your bishopric ; and further to be punished for your contempt, if you shall offend in the contrary, as justice shall require for your own trespass, and as may serve for the example of others. And First. We especially charge and command you, that plainly and distinctly, without any additions, you shall every holy-day, wheresoever you shall be within your diocese, when you may so do with your health, openly in your cathedral church, or in the parish church where you shall fortune to be, read and declare our said Articles, and in nowise in the rest of your words, which you shall then speak of yourself (if you speak any thing), utter any word that shall make the same, or any word in the same, doubtful to the people.

Secondly. We will and command you, that you shall, in your person, travel from place to place in all your diocese, as you may with your commodity, and endeavour yourself every holy-day to make a collation to the people, and in the same to set forth plainly those texts of Scripture that you shall treat off, and with the same also, as well to declare the obedience due by God's law to your prince and sovereign lord, (against whose commandment they ought in no wise, though the same were unjust, to use any violence) as to commend and praise all the honest ceremonies of the Church, as they be to be praised in such plain and reverend sort, that the people may perceive that they be not contemned, and yet learn how they were instituted, and how they ought to be observed and esteemed. Using such a temperance therein, that our said people be not corrupted by putting over much affiance in them, which should more offend than the clean silencing of the same. And that our people may therewith the better know their duty to us, being their king and sovereign lord.

Thirdly. We straightly charge and command you, that neither in your private communications you shall use any words that may sound to the contrary of this our commandment ; ne that you shall keep or retain any man of any degree, that shall in his words, privately or apertly, directly or indirectly, speak in those matters of the ceremonies contemptuously or contentiously. But we will, in case you have, or shall have any such person that will not better temper his tongue ; ye shall as an offender and seducer of our people, send the same in safe custody to us and our council, to be punished as shall

appertain, and seemably to do with other strangers, whom ye shall hear to be offenders in that part.

Fourthly. Our pleasure and commandment is, that you shall on our behalf, give straight commandment upon like pain of deprivation and farther punishment, to all parsons, vicars, curates and governors of religious houses, colleges, and other places ecclesiastical within your diocese, that they and every of them shall, touching the indifferent praise of ceremonies, the avoiding of contentions, and contemptuous communication concerning any of the same, and the distinct and plain reading of our Articles, observe and perform in their churches, monasteries, and other houses ecclesiastical aforesaid, the very same order that is before to you prescribed.

And further, that ye permit nor suffer any man of what degree soever he be in learning, stranger, or other, to preach in any place within your said diocese, out of his own church, by virtue of any licence by us, or any of our ministers, granted before the fifteenth day of this month, neither in your presence nor elsewhere; unless he be a man of such honesty, learning, and judgment, as you shall think able for that purpose, and one whom in manner you dare answer for.

Finally. Whereas we be advertised, that divers priests have presumed to marry themselves contrary to the custom of our Church of England; our pleasure is, you shall make strict inquiry within your diocese whether there be any such resiant within the same, or no. And in case you find that there be any such priests who have presumed to marry themselves, and have sithhence used or exercised in any thing the office of priesthood, we charge you, as you will answer upon the pains aforesaid, to cause them to be apprehended, and to send them up unto us accordingly.

Given under our signet at our castle of Windsor,
the twentieth of November, in the twenty-eighth
year of our reign.

XL.

33.

The Form of the Beads in Ireland.

Ye shall pray for the universal Catholic Church, both quick and dead, and especially for the Church of England and Ire.

Paper-office.
A.D. 1537.

land. First, for our sovereign lord the king, supreme head in earth, immediate under God, of the said Church of England and Ireland ; and for the declaration of the truth thereof, ye shall understand, that the unlawful jurisdiction, power, and authority, of long time usurped by the bishop of Rome in Ireland and England, who then was called pope, is now, by God's law, justly, lawfully, and upon good grounds, reasons and causes, by authority of parliament, and by and with the whole consent and agreements of all the bishops, prelates, and both the universities of Oxon and Cambridge, and also the whole clergy, both of England and Ireland, extinct and ceased for ever, as of no strength, value, or effect, in the Church of England or Ireland ; in the which Church the said whole clergy, bishops and prelates, with the universities of Oxon and Cambridge, have, according to God's laws, and upon good and lawful reasons and grounds, knowledged the King's Highness to be supreme head in earth, immediate under God, of this Church of England and Ireland ; which their knowledge confessed, being now by parliament established, and by God's laws justifiable to be justly executed ; so ought every true Christian subject of this land, not only to knowledge, and obediently to recognize the King's Highness to be supreme head in earth of the Church of England and Ireland ; but also to speak, publish, and teach their children and servants the same ; and to show unto them how that the said bishop of Rome hath heretofore usurped not only upon God, but also upon our princes. Wherefore, and to the intent that ye should the better believe me herein, and take and receive the truth as ye ought to do ; I declare this not only of myself, which I know to be true, but also declare unto you, that the same is certified unto me from the mouth of my ordinary, the archbishop of Dublin, under his seal, which I have here ready to show you ; so that now it appeareth plainly, that the said bishop of Rome hath neither authority nor power in this land, nor never had by God's laws ; therefore I exhort you all, that ye deface him in all your Primers, and other books, where he is named pope ; and that ye shall have from henceforth no confidence nor trust in him, nor his bulls or letters of pardon, which before, with his juggling-casts of binding and loosing, he sold unto you for your money, promising you therefore forgiveness of your sins ; whereof truth, no man can forgive sins but only

God ; and also that ye fear not his great thunder-claps of excommunication or interdiction, for they cannot hurt you : but let us put all our confidence and trust in our Saviour Jesus Christ, which is gentle and loving, and requireth nothing of us when we have offended him, but that we should repent and forsake our sins, and believe stedfastly that he is Christ, the Son of the living God, and that he died for our sins, and so forth, as it is contained in the Creed. And that through him, and by him, and by none other, we shall have remission of our sins, *et poena et culpa*, according to his promises made unto us in many and sundry places of Scripture. On this part ye shall pray also for the prosperous estate of our young prince, prince Edward, with all other the king's issue ; and for all archbishops and bishops, and especially for my lord archbishop of Dublin, and for all the clergy, and namely, for all them that preach the word of God purely and sincerely : on the second part, ye shall pray for all earls, barons, lords ; and in especial, for the estate of the right honourable the lord Leonard Gray, lord deputy of this land of Ireland, and for all them that be of the king's most honourable council ; that God may put them in mind to give such counsel, that it may be to the pleasure of Almighty God, and wealth of this land. You shall pray also for the mayor of this city, and his brethren, with all the commonalty of the same ; and for the parishioners of this parish, and generally for all the temporality. On the third part, ye shall pray for the souls that be departed out of this world, in the faith of our Saviour Jesus Christ, which sleep in rest and peace, that they may rise again with Christ in eternal life ; for these, and for grace, every man say a pater noster, and an ave, &c.

XLI.

*Relaxation of the regal Suspension of Episcopal Jurisdiction ;
or, Licentia Domini Regis ad exercendam Jurisdictionem.*

Henricus Octavus, Dei gratia, Angliæ et Franciæ Rex, Fidei Defensor, ac in terris supremum Ecclesiæ Anglicanæ sub Christo Caput, reverendo in Christo patri Johanni Lond. episcopo salutem. Quandoquidem omnis juris dicendi auctoritas, atque etiam jurisdictio omnimoda, tam illa quæ ecclesiastica dicitur, quam sæcularis, a regia potestate velut a

Registrum
Stokesley,
fol. 48.

supremo capite et omnium infra regnum nostrum magistratum fonte et scaturigine primitus emanavit: sane illos, qui jurisdictiones hujusmodi antehac, non nisi precario fungebantur, beneficium hujusmodi sic eis ex liberalitate regia eis indultum gratis animis agnoscere, idque regie munificentie solummodo acceptum referre, eique (quoties ejus majestati videbitur) libenter cedere convenit. Cum itaque alias supremum totius Ecclesie Anglicane in terris sub Christo caput, tametsi sic semper jure tam divino quam humano, ut predecessores nostri semper fuere (eruntque successores nostri in perpetuum) a clero. tamen et populo hujus regni nuper sic recogniti et declarati, universum clerum totius regni nostri Angliæ visitare intendentes, et visitationem hujusmodi inchoantes prout re vera inchoavimus, per dilectum nobis Thomam Cromwell secretarium nostrum primum, et rotulorum sive scriniorum nostrorum magistrum et custodem nostrum, ad quascunque causas Ecclesiasticas nostra auctoritate, uti supremi capitis dictæ Ecclesie Anglicane quomodolibet tractandas sive ventilandas vicem-gerentem, vicarium generalem et officialem principalem, per alias literas patentes sigillo nostro majori communitas constituerimus et præfecerimus: reverendissimoque patri et prædilecto consiliario nostro Thomæ Cantuariensi archiepiscopo, ac per eum tibi, et aliis hujus regni nostri episcopis quibuscunque, ne pendente visitatione nostra hujusmodi aliquas ecclesias aut monasteria sive loca alia ecclesiastica quæcunque, visitare, aut ea quæ sunt jurisdictionis exercere, attemptares, sive attemptarent, per alias literas nostras inhibuerimus. Quia tamen ipse Thomas Cromwell, nostris et hujus regni nostri Angliæ tot et tam arduis negotiis adeo præpeditus existit, qui quoad omnem jurisdictionem nobis ut supremo capiti hujusmodi competentem, ubique locorum infra hoc nostrum regnum, et præsertim in his quæ commode moram non patiuntur, aut sine subditorum nostrorum injuria deferri non possint, in sua persona expedienda non sufficiet: nos tuis in hac parte supplicationibus humilibus inclinati,—tibi vices nostras sub modo et forma inferius descriptis committendas fore decrevimus, teque licentialem esse. Ad ordinandum igitur quoscunque infra diocesim tuam London:—quos moribus et literatura prævio diligenti et rigoroso examine idoneos fore compereris.—After this authority for conferring orders, the bishop's commission from the king proceeds to empower

him for other branches of ecclesiastical jurisdiction; such as institution and collation to benefices, probate of wills, &c. to which this remarkable clause is added: *Cæteraque omnia et singula in præmissis, seu circa necessaria seu quomodolibet opportuna, præter et ultra ea quæ tibi ex sacris literis divinitus commissa esse dignoscuntur, vice, nomine et auctoritate nostris exequenda, &c.*

XLII.

The Abbot and Convent of St. Edmondsbury's Grant of an Annuity to Thomas Cromwell and his Son.

Omnibus Christi fidelibus, ad quos hoc præsens scriptum pervenerit, Johannes permissione divina, abbas monasterii de Bury Sancti Edmundi, et ejusdem loci conventus, salutem in Domino sempiternam. Sciatis nos præfatos abbatem et conventum unanimi assensu et consensu nostris, pro plurimis beneficiis nobis per egregium virum Thomam Cromwell armigerum, primum secretarium Domini Henrici Octavi, Dei gratia, Angliæ et Franciæ regis, Fidei Defensoris, et domini Hiberniæ, ac in terra supremi capitis Ecclesiæ Anglicanæ, impensis, dedisse, concessisse, ac per præsentem dare et concedere eidem Thomæ et Gregorio Cromwell armigero, filio et hæredi apparenti ejusdem, unum annualem redditum sive annuitatem decem librarum sterling. habendum et annuatim percipiendum dictum annualem redditum sive annuitatem decem librarum, eisdem Thomæ et Gregorio, et eorum utrique, ad terminum vitæ dictorum Thomæ et Gregorii, et utriusque eorum diutius viventium, de et in manerio nostro de Garlew cum pertinentiis in com. Essex ad festa Paschæ et Sancti Michaelis Archangeli, æquis portionibus annuatim a nobis in usum dictorum Thomæ et Gregorii, et utriusque eorum diutius viventium, solvendum.—In cujus rei testimonium huic præsentis scripto nostro sigillum nostrum commune apposuimus.

Biblioth.
R. Harley,
Armig.
27 Hen. 8.

Dat. in domo nostra capitulari infra monasterium supradictum vicesimo sexto die Novembris, anno regni regis Henrici Octavi vicesimo septimo, &c.

XLIII.

King Henry VIII.'s Patent for creating the Abbot of Tavestocke in Devonshire a Lord of Parliament.

Rot. Pat. 5.
H. 8. part 2.
M. 22.
Fuller's
Ch. Hist.
book 6.
p. 293.

Henricus, &c. Sciatis quod certis considerationibus nos specialiter moventibus, et ob specialem devotionem, quam ad beatam Virginem Mariam Matrem Christi, sanctumque Rumonum in quorum honore abbatia de Tavistoke, quæ de fundatione nobilium progenitorum nostrorum, quondam regum Angliæ, et nostro patronatu dedicata existit, gerimus et habemus, hinc est quod de gratia nostra speciali, ac ex certa scientia et mero motu nostris, volumus eandem abbatiam, sive monasterium nostrum gaudere honore, privilegio, et libertatibus spiritualium dominorum parlamenti nostri, hæredum et successorum nostrorum, ideo concessimus, et per præsentem concedimus pro nobis, hæredibus et successoribus nostris, quantum in nobis est, dilecto nobis in Christo, Richardo Bannham abbati de Tavistoke prædicto et successoribus suis, ut eorum quilibet qui pro tempore ibidem fuit abbas, sit et erit unus de spiritualibus et religiosis dominis parlamenti nostri, hæredum et successorum nostrorum, gaudendo honore, privilegio ac libertatibus ejusdem; et insuper, de uberiori gratia nostra, affectando utilitatem dicti nostri monasterii, considerando ejus distantiam, ita quod si contingat aliquem abbatem qui pro tempore fuerit, fore vel esse absentem propter prædicti monasterii utilitatem in non veniendo ad parlamentum prædictum hæredum vel successorum nostrorum, quam quidem absentiam eidem abbati pardonamus per præsentem; ita tamen quod tunc solvet pro hujusmodi absentia cujuslibet parlamenti integri in nostro scaccario, suum per attornatum quinque marcas nobis hæredibus sive successoribus nostris, toties quoties hoc in futurum contigerit. In cujus, &c.

Teste, &c. vicesimo tertio die Januarii, &c.

XLIV.

The Valuation of twenty-seven of the Mitred Abbays, extracted from Speed.

	<i>l.</i>	<i>s.</i>	<i>d.</i>	<i>ob.</i>	<i>q.</i>	
1. St. Peter's, Westminster . . .	3977	6	4	1	1	Speed's Catalogue of Religious Houses, p. 787.
2. Glassenbury, Somersetshire . .	3508	13	4	1	1	
3. St. Alban's, Hertfordshire . . .	2510	6	1	1	1	
4. St. John of Jerusalem, Middlesex	2385	19	8	0	0	
5. St. Edmondsbury, Suffolk . . .	2336	16	0	0	0	
6. Reading, Berkshire	2116	3	9	0	1	
7. St. Maries, nigh York	2085	1	5	1	1	
8. Abingdon, Berkshire	2042	2	8	1	1	
9. Ramsey, Huntingdonshire . . .	1983	15	3	0	1	
10. Peterborough, Northampton . .	1972	7	0	1	1	
11. Gloucester	1550	4	5	1	0	
12. St. Austine's, Canterbury . . .	1412	4	7	1	1	
13. Evesham, Worcestershire . . .	1268	9	9	0	0	
14. Crowland, Lincolnshire	1217	5	11	0	0	
15. Waltham, Essex	1079	12	1	0	0	
16. Cirenster, Gloucestershire . . .	1051	7	1	0	0	
17. Battaile, Sussex	987	0	11	0	0	
18. Tavistoke, Devonshire	902	5	7	1	1	
19. Hide, nigh Winchester	865	1	6	1	1	
20. Selby, Yorkshire	819	2	6	0	0	35.
21. Malmesbury, Wiltshire	803	17	7	0	0	
22. Wivelscombe, Gloucestershire .	756	11	9	0	0	
23. Middleton, Dorsetshire	720	4	1	0	0	
24. St. Bennet, Hulme, Northfolk .	677	9	8	0	1	
25. Shrewsbury	615	4	3	1	0	
26. Thorney, Cambridgeshire . . .	508	2	5	0	0	
27. Bardney, Lincolnshire	429	7	0	0	0	

XLV.

A Copy of the Monks' Patents for the Payment of their Pensions.

Henricus Octavus, Dei gratia, Angliæ et Franciæ Rex,
 Fidei Defensor, Dominus Hiberniæ, et in terra supremum
 Caput Anglicanæ Ecclesiæ, Omnibus ad quos præsentēs

Augmenta-
tion-office.
Fuller's
Ch. Hist.
book 6.
p. 341.

litteræ pervenerint, salutem. Cum nuper monasterium de Carthus. de Hinton in com. nostro Somers. jam dissolvatur, unde quidam Edmundus Horde tempore dissolutionis illius et diu antea prior inde fuit; nos volentes rationabilem annualem pensionem sive promotionem condignam eidem Edmundo ad victum exhibitionem et sustentationem suam melius sustinendum provideri. Sciatis igitur quod nos, in consideratione præmissorum, de gratia nostra speciali, ac ex certa scientia et mero motu nostris, per advisamentum et consensum cancellarii et consilii euriæ augmentationum et reventionum coronæ nostræ, dedimus et concessimus, ac per præsentem damus et concedimus eidem Edmundo quandam annuitatem sive annualem pensionem quadraginta quatuor librarum sterlingorum, habendum, gaudendum et annuatim percipiendum easdem quadraginta quatuor libras præfato Edmundo et assignatis suis a festo Annunciationis beatæ Mariæ Virginis ultimo præterito ad terminum et pro termino vitæ ipsius Edmundi, vel quousque idem Edmundus ad unum vel plura beneficia ecclesiastica sive aliam promotionem condignam clari annui valoris quadraginta quatuor librarum aut ultra per nos promotus fuerit, tam per manus Thesaurarii reventionum augmentationum coronæ nostræ pro tempore existentis, de thesauro nostro in manibus suis de reventionibus prædictis remanere contingen', quam per manus receptorum exituum et reventionum dicti nuper monasterii pro tempore existen', de eisdem exitibus et reventionibus ad festum Sancti Michaelis archangeli et annunciationis beatæ Mariæ Virginis, per æquales portiones. Et ulterius, de uberiori gratia nostra, dedimus, et pro consideratione prædicta per præsentem concedimus, præfato Edmundo Horde undecim libras sterlingorum, habendas eidem Edmundo ex dono nostro per manus thesaurarii prædicti de thesauro prædicto, vel per manus dicti receptoris de exitibus et reventionibus maneriorum terrarum et tenementorum dicti nuper monasterii solvendas. Eo quod expressa mentio de vero valore annuo, aut de certitudine præmissorum, sive eorum alicujus, aut de aliis donis sive concessionibus per nos præfato Edmundo ante hæc tempora fact' in præsentibus minime fact' existit, aut aliquo statuto, actu, ordinatione, provisione, sive restrictione in contrarium inde habit', fact', ordinat', seu provis', aut aliqua alia re, causa, vel materia quacunque in aliquo non obstante.

In cujus rei testimonium has literas nostras fieri fecimus patentes.

Teste Ricardo Riche milite apud Westmonasterium vicesimo septimo die Aprilis, anno regni nostri vicesimo primo.

DUKE.

Per Cancellarium et Concilium Curie Augmentationum Reventionum Coronæ Regiæ virtute warranti regii.

XLVI.

A Commission granted to Archbishop Cranmer and others against the Anabaptists.

Henricus Octavus, Dei gratia, Angliæ Franciæ et Hiberniæ Rex, Fidei Defensor, &c. reverendissimo in Christo patri Thomæ Cantuariensi archiepiscopo, Johanni Londoniensi, et Richardo Cicestrensi, episcopis, Johanni Ship Dorset., Nicolao Heath Staff., Thomæ Thurleby Eliens., ac Richardo Gwent London., archidiaconis, sacellanis nostris, necnon Roberto Barnes et Edvardo Crome, S. T. doctoribus, salutem.

Regist.
Cranmer,
fol. 67.
Oct. 15.
A.D. 1538.

Cum nonnulli, uti accepimus, Anabaptistarum errore seu potius furore perciti, in hoc nostrum Angliæ regnum clam irrepererunt, nostrosque subditos suo pestiferæ hæreseos veneno, inficere moliantur; nostri præsertim muneris esse censemus hujusmodi tam publico tamque præsentī animarum discrimini, cum primum obviam ire, &c.

Then follow the powers in the commission, by virtue of which any three or four of them are authorized to enquire after all persons suspected for Anabaptists' or any other erroneous and damnable heresy. These persons they were to try *summarie et de plano*, and to examine them either judicially or extrajudicially, as they thought proper; to give final sentence and determination, and to confute their tenets by Scripture and the doctrine of the Catholic Church. They were likewise empowered to enjoin those they had undeceived to abjure their errors, and impose any other penance at their discretion, and afterwards to restore them to communion. But as for those who were obstinate and irreclaimable, they were to be excom-

municated, delivered over to the secular magistrate, and punished according to law. They had likewise an authority to seize all Anabaptists' books, to forbid the reading them, to burn and destroy them as they thought fit. And, lastly, they had an authority to execute the premises, notwithstanding some part of them might be contrary to the customary course and forms of law. The words in the commission are these: "Eo non obstante quod denuntiatio, detectio sive indictatio contra eosdem, aut eorum aliquem, in hac parte non præciserit, aliquibus statutis vel statuto in parliamentis nostris in contrarium editis seu provis, cæterisque contrariis non obstantibus quibuscunque.

"In cujus rei testimonium, &c., primo die Octobris 1538, regni nostri tricesimo.

"THOM. CRUMWELL."

36.

XLVII.

A Declaration of the Faith, and a Justification of the Proceedings of King Henry VIII. in matters of Religion; or a summary Declaration of the Faith, Uses, and Observations in England.

Paper-office.
A. D. 1539.

Englishmen have forsaken Satan, his satellits, and all works of darkness, and utterly dedecate themselves to Christ, his words, faith, and to the works of light.

Englishmen believe in one God, three persons in one essence, Fader, Son, and Holy Ghost, as the symbole of Athanasius according to the Gospel doth purporte.

Englishmen believe in God the Fader Allmighty, Creator of heaven and erthe, and in Jesus Christ his Son, and in the Holy Ghost, and the holy Catholick Church, and the communion of saints, remission of synns, the resurrection of the flesh, and the life everlasting, in such form and manner as the symboles of the Apostles and of Nice do declare. And therewith they do detest and abhor the heresies of the Arrians, and all others repugnant to the truth of the Gospel, and the very Word of God.

Englishmen styk fast to the doctrine of God, in the New Testament, and in the Old, conformable to the New, and do

esteeme that it is "*Fons aque salientis in vitam æternam.*" Also they do accept the holy counccills and doctors, where they be not contrary but conformeable unto the same doctrine.

Englishmen detest the Anabaptists, 'Sacramentaries', and all other heresies and errors, and with great reverence do solemnize holy baptisme, the sacrament of the blessed body and blood of Christ, and other sacraments and sacramentalls, as they have done in tymes past, with all the laudable ceremonies, and dayly masses; and do the other service of God in their Churches, as honourably and devoutly, paye their tythes and offerings truely, as ever they did, and as any men do, in any part of Christendome; and besides that, preachers do more often preach and declare the Gospell and true doctrine of Christ, moveing the people to the glory of God, to charity, to hope, to lively faith, and to good works, more than ever they did afore.

Englishmen have now in hand, in every church and place, almost every man, the Holy Bible and New Testament in their mother tongue, instead of the old fabulous and phantasticall books of the "*Table Round*," "*Launcelot du Lake*," "*Huon de Bourdeaux*," "*Bevy of Hampton*," "*Guy of Warwick*," &c., and such other whose unpure filth and vain fabulosity the light of God has abolished utterly.

The Ten Commandments of God be observed there; the Soday and feasts hallowed and observed; confession and communion at Easter at the least; the four embres, the Lent vigills and fasts, Fryday and Saturday with abstinence of flesh.

The states of the realme of England have, by a law, provided to avoid idle people and vagabones, to cherish and susteyne the poore and impotent; and live so, that the works of charitie be observed as well and better there then ever they were afore.

This being the faith, uses, and observations of England, how can any wise man, well enformed thereof, call or esteem them, or suffer them to be called, *erronius*, *heritycks*, *schismatycks*, and to slander them as infidells?

The Abuses, Usurpations, and Superstitions reformed, abolished, and banished out of England, whereby Hypocrites and Pharysies do wrongfully slaunder the most noble King of England, and his Subjects, against God's Word, right, and conscience ; calling them Heritycks and Schismatycks where indeed Englishmen have done therein, like good Christen Men in their Parliament, and by the Advice of all the Estates of the whole Realme.

The great polling and exactions which the bushoppes and arcedeacons were wont to take for probate of testaments, have ben moderate by statute, to a reasonable summe.

The tributes exacted for dead bodies, called some time mortuaries, levyed by the curates, whereby the poor pupills and widdowes were commonly undone, hath been utterly taken away.

The exercise and traffique of merchandise, and takeing of lands in farme for lucre, and prophane negotiations, have been taken away from the priests and spiritual persons.

The dispensations and faculties for priests to have dualities, trialities, pluralities, and *tot quot* of benefices, hath been forbidden, and cannot be granted, by the statutes of England, but only to very fewe.

The beneficed men *cum cura* be commanded to make residence upon their benefices, or els to be sore punished.

The unlawfull appellations and preventions in spiriutal courts have been reformed, and reduced to a stay, and the Englishmen relieved from going so far as Rome for the pursute of the same, but all processes to be determyned within the realme of England.

That the bishoppes should be elected and consecrated within England, as the custome was to consecrate byshoppes, without running to Rome, only for the payment of the annatts, being an undue exaction, and never directly granted to the bushoppe of Rome.

That whereas, about such time as there were six or seven kings in England, the bishopp of Rome, for to yoke the Englishmen, had forbidden that no universite should be kepte of theologie or divinity in England, certain of the same kings did in their realme grant a yearly penny upon every house, called Peter-pence, for the mainteynance of a colledge, for

their own nation in Rome, called Collegium Saxonicum, which decayed long ago, wherefore the Englishmen hereafter should be discharged of the payment thereof, for ceasing the cause, the effect ought to cease.

That dispensations for England should be no more bought, nor sought merely at Rome, but that in cases reasonable, not repugnant to the law of God and common reason, dispensations should be granted in England by the archbishop of Canterbury, with the king's assent.

That bishopps created at Rome, upon bishoppricks in Turkey and Barbary, only for a colour and a fiction, should from henceforth not be admitted in England, but certain places most meete and convenient be appointed within the realme, whereto bishopps' suffragans be assigned, for to aid and assist the bishopps, diocessans, and thereupon be consecrated accordingly.

37.

That for reformation of sundry points in the decretalls and provincial constitutions, being too extreame and rigorus, to the prejudice of the commonwealth, and against the lawes of the realme; the king should appoint thirty-two learned persons, sixteen whereof to be of the clergy, and other sixteen to be of temporaltie, to reforme the same, at the examen and balances of equity.

Knowledge and Graunts made to the King's Majesty by the Clergy and hole Royallms of England.

The whole cleargy of England, of their free will and common assent, have submitted themselves to the King's Highness, as to him of whom they had and have immediately all manner of jurisdiction and goods; save only such mere spiritualties, as were graunted unto them, by the Gospells and holy Scriptures: also they have knowledged, that without his assent and confirmation, they could pretend none other.

The whole cleargie and realme of England, by authoritie of the holy Gospell, Scripture, and examples of the Bible, have knowledged and affirmed, that the king of England recognizing no superiour in his realme, may be called, and is indeed in earth immediately under Christ, supreme head of the Church of England, and that the authority thereof is due to his crowne; and likewise to all emperial princes in Christendome upon their Churches, if they will so accept it, as in a book

printed and intitled, "*De Auctoritate Regia et Pontificia*," and by infinite other reasons it appeareth.

The whole clergy and realme, considering the Christen lay persons, as well as the clergy, (not being excommunicate by the word of God) to be members of the Church; and that the Catholique Church is a communion and congregation of all the same togeder, called otherwise universall, which is but one in the world, and is also called the Apostolique Church, whereof Christ is the only head, as the Scripture witnesses, and in the universal administration thereof, hath, ne needeth no oon vicar. And wayinge that Saynt Gregory, a holy Fader, refused to take upon him to be bishopp universall, or head of the universal Church, although he should at that time be pope of Rome; and also finding no part of the holy Scripture, that giveth any such authority to any man, as the bishopp of Rome doth pretend, but rather forbiddeth it, and commandeth the contrary. That is, if they be successours of Peter, or of any of the apostles, to take upon them no majoritie, and Christ himself, by his very words, in the day of the *cœnæ*, when the apostles strived amongst them which should be the greater, said, "*Reges gentium dominantur earum, et qui potestatem habent super eos benefici vocantur; vos autem non sic, sed qui major est, fiat sicut minor; et qui præcessor sicut ministrator;*" and gave himselfe example to them, saying, "*Quis major est? qui recumbit an qui ministrat? Nonne qui recumbit?*" but what follows? "*Ego autem,*" sayd Christ, "*in medio vestrum sam sicut qui ministrat.*" And in another place, "*Regnum meum non est de hoc mundo,*" and other like. Remembering also that all the places of Holy Scripture, which can be alledged for the confirmation of the papace be nothing to such purpose, unless they be violently wrested and wringed. As "*Tu es Petrus, et super hanc petram ædificabo Ecclesiam meam.*" Christ, the Son of God living, is the *petra* and foundation of the prophets and apostles, and not Peter. "*Et dabo tibi claves regni cœlorum, et quicquid solveris,*" &c. Altho' he promised the keys to Peter, yet nevertheless, in the fulfilling of his promise, he granted them no less to all other apostles than to him; "*Accipite Spiritum sanctum, ite docete omnes gentes; quorum solveritis peccata, &c. quorum retinueritis retenta sunt,*" &c. As to the authority, "*Petre pasc oves meas,*" Christ knowing that with blasphemous oath and

swearing Peter had thrice forsaken him, otherwise than any of the apostles, caused him to re-knowlege him thrice openly ; and that done, said, " Peter, feed my sheep." He said not thy sheep, nor be a tyrant, nor a pope, over my sheep. And to say, pay the didrachme for me and for thee, which is one of the authorities ; and, finally to say, " Peter, I have prayed for thee, that thy faith should not fail ; but after that thou shalt be converted, confirm thy bretheren ;" where Christ did mean, that Peter, for the forsakeing of him, should not utterly dispaire, for he should convert againe. These be all the reasons of holy Scripture they can alledge of any colloure for the papace. And, nevertheless, who is the man of any judgment that woll well pondre them, and nothing wrest or wring them farr, that can conclude, that it is as much as to say, Peter, be thou pope, and supream head of all the Churches in the world, and thy Church shall be the Catholique Church ; for these reasons, and such as be conteyn'd in the said book, "*De Auctoritate Regia et Pontificia*," and innumerable other more causes, and authorities of Scripture, long to be rehearsed, the clergy and realm of oon hole assent have declared, that the bishop of Rome is not, nor ought to be called, "*Caput universalis Ecclesiae*," which title appertayneth only to Christ, and to no man else ; and that, by the positive law, he cannot claime the same title in England, nor elsewhere, nor to be head of any other Church then of Rome's see, but only by the sufferance of princes ; the which sufferance hath been usurped and induced in the blynd and unlearned world, and the princes deceived, and by the wresting of the said Scripture, and some for private affections, to permit the same, whereby since that they had not granted the same, but being deceived, and by their simple ignorance beguiled, thinking that Gode's law should have so ordained, but now, after the knowledge of the truth, by the which the contrary appeareth unto them. And in respect the popes of so long season have so missused the same, as all the world knoweth, why should they not loose that preheminance gotten by deception and execrably missused ? And why should not the princes, if it please them, revoke it unto them, "*Et repetitis plumis moveat nuda cornicula risum*."

Therefore by one hole assent of the bissopps and cleargy, abbotts and others of the cleargye, with the states of the realme, the pope's usurped authorite hath been exiled out of

England, not without great reason, whosoever woll consider the thinges well.

38. The said cleargye and other estates of the realme, for the better and more honorable maintenance of the royal authorities, and that least need should be, to put charges or impositions upon the people, did freely grant and annex to the crowne, of the same, the annates and first fruits of all bishopricks, abbeyes, and other benefices, for the yeare of the vacation thereof; and therewith a yearly pension, of the tenth part of the said benefices, the which like, as they have proceeded from the royall majestie and authoritie, so his grace may lawfully receive them.

Other Proceedings of England; the which, although they be godly, yet Calumniators do defame and slander the Nation thereby, saying, that Englishmen have put down the Christian Religion, Churches, Holy Days, Pardons, Images, and brent Holy Saints and Reliques, and martyed Holy Men: which is a very slaunderous and false Defamation; as it shall appeare by the Truth of their doings as followeth.

As concerning religion, the king of England, after that he had taken upon him his right, in the title of supream head, following the right of the kings in Judah and Israel, took in hand to supply the negligence of the prelates, and caused visitations to be made of all states of the clergy, and enquired of their life and conversation, which, in the monks and friars, specially dwelling in small houses, was found so vicious, I will say no worse, although I could, that by authoritie of the rest of the cleargy and parliament, it was decreed, that all the houses of religion, being under the value of 200*l.* sterl. for their evil conversation, in no wise should be suffered to stand, but within a year after to be suppressed, and the monks thereof suffered to have dispencc, or else to go unto other houses of that order; and that the whole revenues thereof should be annexed to the augmentation of the revenues of the crown of England, as the tenths and annates had been afore, for ever: and the houses and churches thereof defaced after that sort and fashion as other houses of religion, by the bishop of Rome's authorite, in the cardinal of York's time, had been defaced afore.

Sythens that time, other religious persons, as well monks as

friars, seeing the Word of God to prosper, knowing that their profession was but the institution of men ; and perceiving the abuse that lay hidden under their cowles and habitts, have been disposed through the hole realme, to surrender their houses and lands to the King's hands, beseeching him to take them : and so by authoritie of all the states of the realm, his majesty authorized to dissolve the same, upon the free surrender of some, did take their houses and goods, and so proceeded to the dissolution thereof, giving to the chief members and religious persons of the said religious such honest and ample pensions, as upon the revenues of their rents could be born : some other houses, in respect of the places they stood in, his grace would not dissolve : and sundry, yf the King's Highness had not, or would not take their houses, would forsake them : now, what fault can be found at this proceeding ? By the King's authority they had lands and goods, with their free will and permission, by the assent of his realm ; the same be returned again to his Highness : what fault ! ye shall perchance say, the churches and burials cannot be applied to other prophane uses ; but why was not this fault found when the same was done by the pope's authority : and now when a king, the chief fundator thereof, doth the like, fault must needs be found : what is that else to say ? but that such as is a great vice in a temporal man, is no fault in the clergy ; as though one was bound to live according to the law, and not the other, but under the law of pleasure.

The king seeing such a multitude of holy-days, of late introduced, to the utter impoverishment of the poor labourers and workmen, that had none other thing to live on, and norishe their wife, children, and family, than their handy works, hath ordeined, that within the four terms of the year, at which the common courts of the law be kept, and in the time of harvest, there should be no holy-days kept, but only the Sunday, the feasts of our Lady and of the Apostles, and certain special besides. At other times, the holy-days should be kept as they were afore. What person of any judgment, considering this matter, will not judge the same to be very godly, and necessary to be done ?

For abolishment of pardons and remissions, jubilees, and such indulgencies, his majesty considereth that the cannons penitentials, whereupon the pardons were grounded, be abrogate

by the Catholick Church, and that the injunction of penance is arbitrary to the Ghostly Father; then seeing that there is no such bond or obligation, as sometime it appeareth was, what needeth any quittance where no obligation is: and that when God hath pardoned the offence, what availed or needed a man's pardon, specially upon a statute afterward reputed as insupportable? And therefore his grace hath established, not the alms deeds, or acts of charity to be void, but the pardons, remissions, and indulgencies, granted for the acquittal of a thing whereunto no man is bound; as the *Secales Caeli*, jubilees and indulgencies of Rome, be, which yet, and they were available, as they be not, yet the simonaick selling and buying of them should not be suffered.

Touching the images set in the churches, as books of the unlearned people, although they be not necessary, but rather give a certain opinion to the Jews, Turks, and Sarazens (who detest idols) to think that we be idolators; yet the King's Highness doth tolerate and suffer them, save that whereas his Highness hath seen idolatries committed about notable images, which his people thought to have some special virtue in themselves, and ran forth to pilgrimages, to worship superstitiously the same, some of them being no such image indeed, as some of them were set forth, as the image called our Lady, in Worcester, when her precious decks and ornaments, full of rings, jewels, gold, and silver, were torn from her, the same image was the symilitude of a bishoppe, like a gyant, almost ten foot long. At Boxlege, and sundry other places, monks and friars had devised prestigious images of Ohrist crucified, and others by engines, vises, and crafty conveyances, turneing their eyen, moving their lippes, and stirring themselves, when certain keys and strings, by the said monks, fryars, and priests, were bent or pulled in secret places, whereby the poor people were deceived and moved to idolatry. The King's Highness insueing the blessed king Ezechias, who destroyed the image of the serpent, made by Moses by God's commandment, for idolatry, through the which that image was misused, hath caused as many of the images of that sorte as he knew, to be avoided, and permitted others as it was convenient.

As for shrines, capses, and reliquaries of saints so called although the most were nothing less, for as much as his High-

ness hath found, other idollatry or detestable superstition used thereabouts, and perceived that they were for the most part feigned things; as the blood of Christ, so called in some place, was but a piece of red sylke, inclosed in a piece of thyck glass of chrySTALLINE. In an other place, oyle, colloured of *sanguinis drachonis*, instead of the mylk of our Lady, a piece of chalk or of ceruse, our Lady's girdle, and other innumerable illusions, superstitions, and apparent deceipts; and more of the holy crosse than three waines may carry. His majesty, therefore, hath caused the same to be taken away, and the abusive pieces thereof to be brent, the doubtfull to be sett and hydden honestly away for fear of idollatry.

39.

As for the shryne of Thomas Beckett, sometime archbishop of Canterbury, which they called St. Thomas, by approbations it appeareth clearly, that his common legend is false; and that at the time of his death, and long afore, he was reconciled to king Henry II., king of this realme, duke of Normandy and Guyene, and had no quarrell directly with him, but only against the archbishop of York, which rose from proud preeminences between them; and by the strife thereof procured frowardly his own death, which they untruly call martyrdome; and happened upon the arrest of a servant of his, whereupon the gentleman that arrested him caused the whole city to rise up in armes, and for that he gave opprobrious words to the gentleman, which then coussailed him to leave his stubbornness, and avoyed out of the way. And he not only called the one of them band, but also took another by the bossome, and violently shook and plucked him in such manner, that he had almost overthrown him to the pavement of the church; so that upon this fray, the same moved and chafed, strake him, and so in the throng Beckett was slayne; and that he never did acte in his life sufficient to prove any holliness, but came to be the king's chancellour by mony, was a great warrior, a brenner of townes, a croacher of benefices, a hunter and hawker, proud and seditious; by corruption and unlawful means obtained the archbishopricke of Canterbury, as he himselfe confessed openly to pope Alex. And as by writeings and chronicks of good record, by his chapleins and brethren the bishoppes of England made; and sundry of them above forty yeares printed in Paris, and never reproved, (although the mercy of God might be extended unto him) yet nevertheless it

was arrested, that his shrynes and bones should be taken away and bestowed in such place, as the same should cause no superstition afterwards. And forasmuch as his head almost hole was found with the rest of the bones, closed within the shryne; and that there was in that church a great scull of another head, but much greater by the three quarter parts than that part which was lacking in the head closed within the shryne, whereby it appeared that the same was but a feigned fiction. If this hede was brent, was therefore St. Thomas brent? Assuredly it concludeth not. St. Swythyn and other reliques, where abuse of ipocrasy was, be laid save, and not, as it is untruly surmized, brent, but according to reason collocate secretly, where there shall be no cause of superstition given by them,—as some say that for the like cause the body of Moyses was hidden, least the Jews should fall to idollatrie.

But concerning the putting to death of several noble men, abbots and monks, priests, and other within England, without any degradation; his majesty, knowing the degradation to be but an iddle ceremonie, introduced, for the only estimation of clerks, exemption and impunitie, it hath been ordained that the same should not be needful. But, like as a Christen thief, can be hanged without rayseing or scrapeing the holy chrisme from his forehead; and the traytor that hath been hence led without the mouth and tongue, wherewith he hath received the blessed body of our Lord, be rased or washed, can be lawfully hanged, drawn, heded, and quartered; why should not a bishopp, an abbot, or any other traytor in holy orders, be executed without execration or degradation?

Should the King's Highness have suffered those traytors to live,—Thomas Moore the jeaster, Fisher of Rochester, the glorious hypocrite, both the champions of superstition and abuse; the Cartusiens and fryars obstinate; and other wool-clothed wolves, who attribute more to their cowe and habit, than to the precious blood of Christ? The holy maid of Kent, that so long brought the people to idolatrye, by telling them their sinns in perticular, as though she had known them by revelation; who had letters from St. Mary Magdalen, brought to her from heaven, written in letters of gold; who had visions, revelations, extasies, and so much holiness, as Sylvester, Darius, and other the bishop of Rome's nuncios, did kiss her feet. She conspired, with monks' observants, the king's

destruction ; she made seditious prophécies, to move the people to sedition. What evil yf her holyness disclosed so with her fader confessor, with the sorte of doctors that gave her her lesson, and the holy confessors that detected to her men's confessions, with the holy secretary that wrote in heaven Mary Magdalen's letters, and such others were hanged ? Should not the heads of the insurrection in York, first pardoned, and afterward relapse, be corrected ? The judges of Exeter, the lord Mountague, and their adherents, which conspired the king's and his issue's destruction, and to transport the crown of the realm ; were they not worthy to die !

Herein I proceed to no further particulars ; but seeing that the very truth is, that the King's Highness never put to death any man *authoritate absoluta*, but by ordinary process ; and no person at all hath been condemned, but by twelve of his peers, irreprovable and indifferent ; no noble lord, without the special sentence of twenty-four lords at the least, and some of many more, and never put to execution till they had been indicted in their countries, and afterwards arraigned, heard, and declared at the length, and as long as they would to the judges and their peers, all the excuses and reasons they could alledge openly for themselves in the hall of Westminster, and been by their peers found guilty, and by the judges condemned. Who can find in his heart, knowing this, to think the same prince that so hath judgments ministered by the law, and by ordinary jurisdiction, to be a tyrant ? It is plain malice and iniquity so to defame and misreport his noble grace.

If his grace, for the interest of princes, and conservation of their rights, that seeing the bishop of Rome will be head of the council, and will admit no persons to have voice there, but such as be of his sort and disposition. God knoweth how good it ought to be esteemed ; whereby they do nothing but for their own advantage and profit, but oftentimes for a shadow, make some restrictions to get in mony to the said bishop and disciples of Rome, for the dispensation of the same, hath for that consideration protested to appear nor agree to no manner council, unless it be indicted by the common appearance of princes in an indifferent place, free and frank, as well for such as they call lay, as for the spiritual. Is he therefore to be called schismatick, inobedient, or rebel to Church, since the old use was in times past, as now his grace desireth, and that

councils kept otherwise be no very councils, but rather *conciliabula malignantium*? I leave to declare what fruits and mischiefs have followed of some of them.

XLVIII.

The Judgment of the Convocation for annulling the Marriage between the King and Anne of Cleve.

Cotton.
Library,
transcribed
from the
original by
Dr. Smith,
and attested
by three
public nota-
ries.
A.D. 1540.

Excellentissimo, invictissimo, et potentissimo principi et domino nostro Henrico Octavo, Dei gratia, Angliæ et Franciæ regi, Fidei Defensori, domino Hiberniæ, et in terra supremo sub Christo capiti Ecclesiæ Anglicanæ, Thomas et Edoardus, permissione divina, provinciarum Cantuariensis et Eboracensis Archiepiscopi, cum omni reverentia, honore, et subjectione debetis salutem et fœlicitatem.

Cum vestra excellentissima majestas ad instantiam et requisitionem procerum et populi hujus incliti regni vestri per literas vestras commissionales dat' sexto die Julii anno regni vestri tricesimo secundo nobis ac reliquis confratribus nostris, utriusque provinciæ episcopis, una cum decanis, archidiaconis, et clero earundem conjunctim et divisim commisit ut matrimonii causam, quæ inter vestram serenissimam majestatem et illustrem ac nobilem fœminam, dominam Annam Clivensem multis modis ambigua et perplexa existit, matura deliberatione discuteremus, et quid verum ac justum esset, ac vestræ majestati licere arbitraremur diffiniremus et vestræ majestati scripto authentico renunciaremus, prout in literis antedictis commissionalibus apertius et latius continetur: nos igitur tum nostro, tum confratrum nostrorum et reliqui cleri nomine, vestræ excellentissimæ majestati duximus, significand. et significamus per præsentem, quod nos et confratres nostri, utriusque provinciæ episcopi, una cum decanis, archidiaconis et clero, virtute et vigore literarum commissionalium vestræ majestati prædictarum convenientes, et in synodum universalem congregati, auditis, examinatis, perpensis, et discussis, quæ apud nos proposita, allegata, affirmata, et probata fuerunt, communi omnium et singulorum tum præsentium consensu et assensu declaravimus et diffinivimus, majestatem vestram prædicto matrimonio prætenso, utpote nullo et invalido, non alligari, sed alio desuper judicio non expectato, Ecclesiæ suæ autoritate fretam, posse arbitrio suo ad contrahendum et consummandum matri-

monium cum quavis foemina, divino jure vobiscum matrimonium contrahere non prohibita, procedere, prætenso illo cum domina Anna prædicta matrimonio non obstante, similiter etiam dominam Annam prædictam, non obstante matrimonio prætenso cum majestate vestra, quod nullo pacto obstare debere decernimus, posse arbitrio suo cum quavis alia persona divino jure non prohibita, matrimonium contrahere. Quam nostram et universi cleri diffinitionem veram, justam, sanctam, et honestam, ex animorum nostrorum judicio sincero manantem, attestamus, profitemur, et affirmamus, prout etiam illi una nobiscum attestati et professi sunt, ac nominum suorum subscriptione confirmarunt, ac ejusdem diffinitionis executioni quam perfectissime, integerrime, et efficacissime nobiscum assensi sunt et consenserunt, quemadmodum etiam nos consentimus et assentimur per præsentem.

In quorum omnium et singulorum fidem et testimonium præmissorum has literas nostras certificatorias manu nostra subscriptas, et notariorum, qui actis interfuerunt, subscriptionibus et signis annotatas, sigillorum nostrorum appositione communivimus.

Dat. et acta fuerunt suprascripta domo capitulari Westmon. nono die mensis Julii, anno Domini millesimo quingentesimo quadragésimo, et regni vestri felicissimi tricesimo secundo.

T. CANTUARIEN.
EDOUARDUS EBOR.

I could have inserted another manuscript *, for annulling this marriage, which has more depositions than that transcribed by bishop Burnet †, and is a full transcript of the convocation instrument. It is attested by three public notaries, viz., Richard Watkin, Anthony Hussey, and Thomas Argall.

* Penes Johan. Anstey's Armig.
† Bp. Burnet, pt. 1. Records, book 3. p. 197.

XLIX.

The Resolutions of several Bishops and Divines upon some Questions concerning the Sacraments.

The first Question.

What a Sacrament is by the Scripture ?

Ex MSS.
D. Stillingfleet.
Bp. Burnet, Hist. Ref. p. 1. Records, book 3. num. 21.

*Answers.**Cant.*

The Scripture showeth not what a Sacrament is, nevertheless, where in the Latin text we have *Sacramentum*, there in the Greek we have *mysterium*; and so, by the Scripture, *Sacramentum* may be called *mysterium*, "id' est, res occulta sive arcana."

York.

To the first: In Scripture we neither find definition nor description of a Sacrament.

Without prejudice to the truth, and saving always more better judgment, "cum facultate etiam melius deliberandi in hæc parte."

London.

To the first question: I think that the Scriptures do use this word Sacrament in divers places, according to the matter it treateth upon, Tobit xii. Rev. i. Wisd. ii. 6. 12. Dan. ii. Eph. i. 3. 5. Col. i. 1 Tim. x. Rev. xvii., as also it doth divers other words: yet what a Sacrament is by definition, or description of Scripture, I cannot find it explicated openly. Likewise, as I cannot find the definition or description of the Trinity, nor yet such like things; marry, what other men can find, being daily and of long season exercised in Scripture, I cannot tell; referring therefore this thing to their better knowledge.

Rochester.

I think that where this word Sacrament is found in the Scripture in the Latin translations, there in the Greek is found this word *Μυστήριον*, that is to say, a mystery, or a secret thing.

Carlisle.

What the word Sacrament betokeneth, or what is the definition, description, or notification thereof, I have found no such plainly set out by Scripture. But this I find, that it should appear by the same Scripture, that the Latin word *Sacramentum*, and the Greek word *mysterium*, be in manner always used for one thing; as much as to say as, "absconditum, occultatum, vel in occulto."

Ad Questiones:

*Dr. Robert-
son.*
41.

THOMAS ROBERTSON,

Ad primam respondeo, vocem Sacramenti mihi in sacris literis non reperiri in hac significatione, nisi quatenus ad matrimonium applicatur a Paulo, ubi tamen Græce habetur *mysterium*, et proinde ex meris Scripturis expresse definiri non posse.

I find not in Scripture the definition of a Sacrament, nor *Dr. Cos.* what a Sacrament is.

I find no definition in Scripture of this word *Sacramentum*; *Dr. Day.* howbeit, wheresoever it is found in Scripture, the same is in the Greek *mysterium*, which signifieth a secret or hid thing.

Non habetur in Scripturis, quid Sacramentum proprie sit, *Dr. Ogellthorp.* nisi quod subinde mysterium dicitur: varia enim, et in Scripturis, et in ecclesiasticis scriptoribus reperitur ejus nominis significatio; ideoque definiri non potest.

I find no definition of this word Sacrament in the Scripture, *Dr. Redmayn.* nor likewise of this word *gratia*, or *lex*, with innumerable more; and yet what they signify it is known. So the signification of this word Sacrament is plain, it is nothing else but a secret hid thing, or any mystery.

Like as *angelus, coelum, terra*, be spoken of in Scripture, yet *Dr. Edgworth.* none of them defined; so, although *Sacramentum* be spoken of in Scripture, yet it hath no definition there, but is taken divers ways, and in divers significations.

This word Sacrament in Scripture is not defined.

I say this word Sacrament, taken in his common signification, betokeneth a mystery, an hid, or a secret thing: but if *Dr. Symons.* ye understand it in its proper signification, as we use to apply *Dr. Treham.* it only to the seven Sacraments, the Scripture showeth not what a sacrament is. And yet, lest any man might be offended, thinking, that because the Scripture showeth not what a Sacrament is, therefore the same is a light thing, or little to be esteemed: here may be remembered, that there are some weighty and godly things, being also of our belief, which the Scripture showeth not expressly what they are. As for example: we beieve the Son is consubstantial to the Father: Item, that the Father is unbegotten; yet the Scripture showeth not what is consubstantial, nor what is unbegotten, neither maketh any mention of the words. Likewise it is true, baptism is a Sacrament, penance is a Sacrament, &c. yet the Scripture showeth not what a sacrament is.

Responsions unto the Questions.

EDWARDUS LEYGHTON,

To the first question I say, That in holy Scripture I never *Dr. Leygh-ton.* found, and I think there is no man that will find a definition,

or description. of this word *Sacramentum* ; which is as much to say in English, as a mystery, a secret, or a hid thing.

Dr. Coren. I do read no definition of this word *Sacramentum* in Scripture ; but sometimes it is used in Scripture to signify a thing secret or hid.

Conueniunt. In primo Articulo conueniunt omnes, non satis constare ex Scriptura, quid sit Sacramentum ; plerique tamen dicunt Græce appellari, mysterium, i. e. a secret, or a hid thing.

Agreement. In the answer unto the first question, they do all agree, that it is not evident by Scripture what a Sacrament is, but *mysterium*, that is, a secret, or a hid thing.

2. Question.

What a Sacrament is by the ancient authors ?

Answers.

Canterbury. The ancient authors call a Sacrament "*Sacræ rei signum*," or, "*visibile verbum, symbolum, atque pactio, qua sumus constricti*."

York. To the second : Of St. Augustine's words, this description following of a Sacrament may be gathered, "*Sacramentum est invisibilis gratiæ visibilis forma*." And this thing, that is such visible form or sign of invisible grace in Sacraments, we find in Scripture ; although we find not the word Sacrament, saving only in the Sacrament of matrimony.

London. To the second : I find in authors this declaration, "*Sacramentum est sacræ rei signum*." Also, "*Invisibilis gratiæ visibilis forma*." Also, "*Visibilis forma invisibilis gratiæ imaginem gerens et causa existens*." And of the verity and goodness of this description, or declaration, I refer me to the divines better acquainted with this matter than I am.

Rochester. I think that this word Sacrament, as it is taken of the old authors, hath divers and sundry significations ; for sometimes it is extended to all holy signs, sometimes to all mysteries, sometimes to all allegories, &c.

Cartels. Thomas Waldensis, who writeth a solemn work "*de Sacramentis*," causeth me to say that this word *Sacramentum in communi* is defined of the ancient authors ; who, after that he had showed how that Wyclyff, and before him Berengarius, hath said, that Augustine defineth *Sacramentum* thus : "*Sacramentum est sacrum signum* ;" and *signum* in this wise,

De Doctrina Christiana.

“Signum est res præter speciem quam sensibus ingerit, aliquid aliud ex se faciens in cogitationem venire.” He himself, with ancient authors, as he saith, defineth it thus, “Sacramentum est invisibilis gratiæ visibilis forma, vel Sacramentum est sacræ rei signum;” both these descriptions (saith he) be of the ancient fathers.

Sacramentum a vetustioribus, quemadmodum fert Hugo de *Dr. Robert-*
S. Victore, et Thomas Aquinas, nondum reperiri definitum, nisi quod Augustinus, interdum vocet Sacramenta, sacra signa aut signacula, interdum similitudines earum rerum, quarum sunt Sacramenta. Et Rabanus, Sacramentum dicitur, quod sub tegumento rerum corporalium, virtus divina secretius salutem eorundem Sacramentorum operatur, unde et a secretis virtutibus vel sacris, Sacramenta dicuntur.

The ancient authors commonly say, that a Sacrament is, *Dr. Cox.*
“sacræ rei signum,” or “sacrosanctum signaculum;” but they do not utterly and properly define what it is.

The ancient doctors take this word *Sacramentum* diversely, *Dr. Day.*
and apply it to many things.

Ex Augustino et aliis colligitur, Sacramentum posse dici, *Dr. Og-*
sacræ rei signum, vel invisibilis gratiæ visibilis forma, quan-
quam hæc posterior definitio non conveniat omnibus Sacra-
mentis, scil. tantum septem istis usitatis; sed nec his quoque
ex æquo, cum non æqualem conferant gratiam. *thorp.*

Generally it is taken to signify every secret mystery, and *Dr. Red-*
Sacramenta be called, “sacrarum rerum signa,” or “sacra *mayn.*
signacula:” and as this word Sacrament particularly is attributed to the chief Sacraments of the Church, this definition of a Sacrament may be gathered of St. August. “Invisibilis gratiæ visibilis forma.” And also that a Sacrament is a mystical or secret work, which consisteth “ex verbo et elemento.” And Cyprian saith, “Verborum solennitas, et sacri invocatio nominis, et signa institutionibus Apostolicis sacerdotum ministeriis attributa, visibile celebrant Sacramentum, rem vero ipsam Spiritus Sanctus format et efficit.”

By the ancient authors, *Sacramentum* hath many significations, sometimes it is called a secret counsel. Tobit xii. “Sacramentum regis abscondere bonum est.” Nebuchadnezzar’s dream was called *Sacramentum*, Dan. ii. The mystery of Christ’s incarnation, and of our redemption, is so called, Ephes. iii. and 1 Tim. iii.; so that every secret thing having

some privy sense, or signification, is called *Sacramentum*, generally extending the vocable: notwithstanding, in one signification, *Sacramentum* accordeth properly to them that be commonly called the seven Sacraments; and hath this definition taken of St. Augustine, and others, "*invisibilis gratiæ visibilis forma, ut ipsius imaginem gerat et quodammodo causa existat.*"

Dr. Symmons.

The ancient authors of divinity use this word Sacrament in divers significations, for they call it *mysterium*; and so the Scripture useth it in many places, as 1 Tim. iii. Tobit xii. Wisd. ii. Dan. ii. Eph. i. and iii. The word Sacrament is also used for a figure or a sign of the Old Testament, signifying Christ, as the Paschal Lamb, and the brazen serpent, and divers others holy signs. It is also taken of the holy authors, to be an holy sign, which maketh to the sanctification of the soul, given to God against sin for our salvation, as it may be gathered of them; for this word Sacrament is called by them, "*sacrum signum*;" but I have not read any express definition common to all sacraments.

Dr. Tresham.

This word Sacrament, in the ancient authors, is oftentimes used in this general signification, and so (as is beforesaid) it is a mystery, or secret thing; and sometimes the same word is used, as applicable only unto the seven Sacraments; and is thus described, a visible form of an invisible grace; and thus also, a thing by the which, under the covering of visible things, the godly power doth work our health.

Dr. Leighton.

To the second I say, that Hugo de Sancto Victore, is one of the most ancient authors that I ever could perceive, took upon him to define or describe a Sacrament: howbeit, I suppose, that this common description which the Schoolmen use, after the Master of the Sentences, viz. "*Sacramentum est invisibilis gratiæ visibilis seu sensibilis forma,*" may be gathered of St. Austin, and divers other ancient authors' words in many places of their works.

Dr. Coren.

I do find no definition plainly set forth in old authors; notwithstanding this definition, "*invisibilis gratiæ visibilis forma,*" may be gathered out of St. Augustine.

Convenient.

In secundo Articulo conveniunt omnes, *Sacramentum esse sacræ rei signum*. Tresham, Oglethorpus, et Edgworth, dicunt hanc definitionem, *Sacramentum est invisibilis gratiæ visibilis forma*, his septem convenire. Thurlebeus ait, non

convenire omnibus septem, et æque pluribus posse attribui atque septem.

In the second they put many descriptions of a Sacrament, *Agreement.* as the sign of a holy thing, a visible word, &c. But upon this one definition, a Sacrament is a visible form of invisible grace, they do not all agree. And Dr. Edgworth, Tresham, and Oglethorp say that it is applicable only and properly unto this word Sacrament, as it signifieth the seven Sacraments usually received. My lord elect of Westminster saith, that it agreeth not unto all the seven, nor yet more especially unto the seven, than unto any other.

3. Question.

How many Sacraments there be by the Scripture.

Answers.

The Scripture showeth not how many Sacraments there be, *Canterbury.* but *Incarnatio Christi et matrimonium* be called in the Scripture *mysteria*; and therefore we may call them by the Scripture, *Sacramenta*. But one *Sacramentum* the Scripture maketh mention of, which is hard to be revealed fully, as would to God it were, and that is *mysterium iniquitatis*, or *mysterium meretricis magnæ et bestię*.

To the third, in Scripture we find no precise number of *York.* Sacraments.

To the third, I find not set forth the express number, with *London.* express declaration of thus many, and no more; nor yet of these expressly by Scripture which we use, especially under the name of Sacraments, saving only of matrimony.

I think, that in the Scripture be innumerable Sacraments, *Rochester.* for all mysteries, all ceremonies, all the facts of Christ, the whole story of the Jews, and the revelations of the Apocalypse may be named Sacraments.

The certain number of Sacraments or mysteries, contained *Carlisle.* within Scripture, cannot be well expressed or assigned; for Scripture containeth more than infallibly may be rehearsed.

De istis septem, quæ usitate vocamus Sacramenta, nullum *Dr. Robert-* invenio nomine Sacramenti appellari, nisi matrimonium. Ma-^{son.} trimonium esse Sacramentum, probat Eckius, Hom. 73. et conferre gratiam, ibid.

There be divers Sacraments by the Scripture, as in Tobie xii. *Dr. Cox.*

"Sacramentum regis," the king's secret. Also Nebuchadnezzar's dream, Dan. ii., is called "Sacramentum, incarnatio Christi, Sacramentum," Ephes. iii. "Matrimonium, Sacramentum."

Dr. Day. Taking for Sacraments any thing that this word, *Sacramentum*, doth signify, there be in Scripture a great number of Sacraments more than seven.

Dr. Oglethorp. Non habetur determinatus Sacramentorum numerus in Scripturis, sunt enim innumera fere illic, quæ passim vocantur Sacramenta; cum omnis allegoria, omneque mysterium, dicatur Sacramentum. Quin et somnia, ac secreta, subinde Sacramenta vocantur, Tobie ii. Sacramentum regis abscondere bonum est; et Dan. ii. Imploremus misericordias Dei cœli super Sacramento isto, et somnio. Paulus etiam Epist. 1. cap. iii. Tim. vocat mysterium incarnationis Christi Sacramentum; et in Apoc. i. vocat Sacramentum septem stellarum. Ac hoc præcipue observandum venit, nullum a septem Sacramentis receptis, hoc nomine appellari, præter solum matrimonium.

Dr. Rodmayn. As many as there be mysteries, which be innumerable; but by Scripture, I think, the seven which be named Sacraments, may principally bear the name.

Dr. Edgeworth. Speaking of Sacraments generally, they be innumerable spoken of in Scripture; but properly to speak of Sacraments, there be but seven that may be so called, of which matrimony is expressly called, *Sacramentum*, Ephes. v. and, as I think, in the german and proper signification of a Sacrament; so that the indivisible knot of the man and his wife in one body, by the Sacrament of matrimony, is the matter of this Sacrament; upon which, as on the literal verity, the Apostle foundeth this allegorical saying, "ego autem dico in Christo, et in Ecclesia;" for the mystical sense presupposeth a verity in the letter on which that is taken. Six more there be to which the definition doth agree, as manifestly doth appear by the Scriptures, with the exposition of the ancient authors.

Dr. Symmons. In the Scripture there is no certain number of Sacraments.

Dr. Treham. I find no more of the seven, called expressly Sacraments, but only matrimony, but extending the name of Sacrament in his most general acception; there are in Scripture a great number of Sacraments, whereof the Apostle saith, "Si novemint mysteria omnia," &c.

To the third, I say, that I find not in Scripture any of these 43.
seven, which we commonly call Sacraments, called *Sacramentum*, *Dr. Leigh-*
but only *matrimonium*. But I find divers and many other *ton.*
things called Sacraments in Scripture, as in the 12th of Tobie.
“*Sacramentum regis abscondere bonum est.*” Item Apoc. 17.
Dicamus tibi *Sacramentum*. Item 1 Tim 3. *Magnum est*
pietatis Sacramentum.

I cannot tell how many Sacraments be by Scripture, for they *Dr. Coren.*
be above one hundred.

“In tertio conveniunt satis: non esse certum numerum *Convenient.*
Sacramentorum per Scripturas. Redmaynus addit,” but by
Scripture, I think, the seven which be named Sacraments may
principally bear the name. “Idem sentit Edgworth, et sep-
tem tantum *matrimonium* in *Scripturis* haberi sub nomine
Sacramenti plerique dicunt.”

In the third, they do agree, that there is no certain num- *Agreement.*
ber of Sacraments by Scripture, but even as many as there be
mysteries; and none of these seven be called Sacraments, but
only matrimony in Scripture.

4. Question.

How many Sacraments there be by ancient authors?

Answers.

By the ancient authors there be many Sacraments more *Canterbury.*
than seven; for all the figures which signified Christ to come,
or testify that he is come, be called Sacraments, as all the
figures of the old law and the new law,—“*Eucharista, Baptis-*
mus, Pascha, Dies Dominicus, Lotio Pedum, Signum Crucis,
Chrisma, Matrimonium, Ordo, Sabbatum, Impositio Manuum,
Oleum, Consecratio Olei, Lac, Mel, Aqua, Vinum, Sal, Ignis,
Cineres, Adapertio Aurium, Vestis candida,” and all the
parables of Christ, with the prophecies of the Apocalyps and
such other, be called by the doctors *Sacramenta.*

To the fourth, there is no precise number of Sacraments *York.*
mentioned by the ancient authors, taking the word Sacraments
in its most general signification.

To the fourth, I find, that St. Austin speaketh, “de Bap- *London.*
tismo, de Eucharistia, de Matrimonio, de Ordinatione Clerico-
rum, de Sacramento Chrismatis et unctionis.” Also I find

in the said St. Austin, that in the old law there were many Sacraments, and in the new law few.

Rochester. I think, that in the doctors be found many more Sacraments than seven, viz. "Panis Catechumenorum, Signum Crucis, Oleum, Lac, Sal, Mel," &c.

Carlisle. Whereas in Scripture the number of the Sacraments is uncertain; it cannot be certain in the exposition of the Fathers.

Dr. Robert-son. Apud Augustinum lego Sacramentum Nuptiarum, Sacramentum Baptismi, Sacramentum Eucharistiae, quod et Altaris sive Panis vocat; Sacramentum Ordinationis; Sacramentum Chrismatis, quod datur per manus impositionem baptizatis; Sacramentum Unctionis.

Dr. Cox. I find in the ancient authors, that baptism is called "Sacramentum, Eucharista Sacramentum, Matrimonium Sacramentum, Ordo Sacramentum, Chrisma Sacramentum, Impositio Manuum per Baptismum Sacramentum, Dilectio Sacramentum, Lotio Pedum Sacramentum, Oleum, Mel, Lac, Sacramenta;" and many others.

Dr. Day. There be a great sort of Sacraments found in the doctors, after the acception abovesaid, more than seven.

Dr. Oglethorp. Apud scriptores ecclesiasticos reperiuntur multa plura Sacramenta quam hæc septem.

Dr. Redmayn. Taking this word Sacrament universally for mysteries, or all secret tokens, there be more Sacraments than can be reckoned; but the seven by old authors may specially obtain the name. Lotio Pedum is spoken of in old authors as a special Sacrament used then in the Church, and as it appeareth having a great ground in the Scripture; and I think it were better to renew that again, and so to have eight Sacraments, rather than to diminish the number of seven now used.

Dr. Edgeworth.
Dr. Symmons. The ancient authors acknowledge many more than seven; for they call in their writings all rites and ceremonies Sacraments.

Dr. Trisham. Generally, as many mysteries, specially seven, and no more of like nature to them; for although I find not express mention where penance is called a Sacrament, yet I think it may be deduced and proved by Cyprian, in his Sermon "De Passione Christi," in these words: "Denique quicumque fiunt Sacramentorum ministri, per operationem autoritas in figura crucis omnibus Sacramentis largiter effectum, et cuncta per-

agit nobis quod omnibus nominibus eminet a Sacramentorum vicariis invocatum: at licet indigni sint qui accipiunt, Sacramentorum tamen reverentia, et propinquiorem ad Deum parat accessum, et ubi redierint ad cor constat ablutionis donum, et reddit effectus munerum, nec alias quæri aut repeti necesse est salutiferum Sacramentum;” in these words, “reddit effectus munerum, et nec alias repeti necesse est salutiferum Sacramentum,” must needs be understood penance, and also that penance is a Sacrament; for as our first access to God is by the Sacrament baptism,—which Cyprian there following called *ablutionem primam*,—so if we fall by deadly sin, we cannot *repetere* God again, but by penance: which repeating, *i. e.* penance, Cyprian calleth *Salutiferum Sacramentum*.

To the fourth, I say, that I find in ancients authors every one of these seven, which we call commonly Sacraments, called *Sacramentum*, as in Austin every one of them is called *Sacramentum* but only penance, which Cyprian calleth *Sacramentum*. Also I find in the ancients authors divers other things besides the seven) called Sacraments, as *Lotio Pedum* in Cyprian, &c. Dr. Leygh-
ton.

More Sacraments be found in old authors than seven.

Dr. Curen.

In quarto conveniunt, plura esse Sacramenta quam septem apud authores: Redman addit; “but the seven, by old authors, may specially obtain the name.” Idem putat Edgworth, et Tresham. *Lotio Pedum*, “he thinketh were better to be renewed, and so made eight Sacraments, than the number of seven to be diminished.” Treshamus citat Cyprianum in Serm. de Passione Christi pro Pœnitentia, quod dicatur Sacramentum, cum alii fere omnes nusquam appellari aiunt Sacramentum apud authores, et hic locus aperte agit de Baptismo, quod vocat Donum Ablutionis, et Sacramentum salutiferum. Conveniunt.

In the fourth, they agree, that there is no determinate number of Sacraments spoken of in the old authors; but that my lord of York, Mr. Edgworth, Tresham, Redman, Craiford, and Symons, say, that these seven by old authors may specially obtain the name of Sacraments. And the bishop of St. David’s saith, that there be but four Sacraments in the old doctors most chiefly spoken of, and they be Baptism, the Sacrament of the Altar, Matrimony, and Penance. Agreement.

5. *Question.*

44. Whether this word Sacrament be, and ought to be, attributed to the seven only; and whether the Sacraments be found in any of the old authors or not?

Answers.

Canterbury. I know no cause why this word Sacrament should be attributed to the seven only. For the old authors never prescribe any certain number of Sacraments; nor in all their books I never read these two words joined together, viz., *septem Sacramenta*.

York. To the fifth. To the first part of this question, this word Sacrament is used and applied in Scripture to some things that be none of the seven Sacraments. To the second part: the seven Sacraments be found in some of the ancient authors.

London. To the fifth, I answer, that this word Sacrament, in our language, commonly hath been attributed to the seven customarily called Sacraments; not for that yet, that the word Sacrament cannot be applied any more, but for that the seven have been specially of very long and ancient season received, continued, and taken for things of such sort.

Rochester. I think that the name of a Sacrament is, and may be attributed to more than seven, and that all the seven Sacraments be found in the old authors, though all peradventure be not found in one author. But I have not read penance called by the name of a Sacrament in any of them.

Carlisle. Certain it is, that this word Sacrament neither is nor ought to be attributed to seven only; for both Scripture and ancient authors otherwise applieth it. But yet nothing letteth but that this word Sacrament may most especially, and in a certain due preeminence, be applied to the seven Sacraments of most ancient name and usage amongst Christian men. And that the ancient authors have so used and applied it, affirmeth the said Thomas Walden, convincing Wycliffe and Berengarius, who enforced the contrary. From Cyprian and also Augustine, with other holy doctors, they may so well be gathered.

Dr. Robert-son. Vocabulum, Sacramenti, in sacris literis nulli Sacramento-
rum quod sciam tribuitur, nisi matrimonio: a vetustis scrip-

toribus tribuitur ceremoniis et umbris legis, incarnationi Christi, figuris, allegoriis, et festivitatis: apud Paulum legitur divinitatis, voluntatis divinæ, et pietatis Sacramentum. Cæterum loquendo de Sacramentis his, quæ sunt invisibilis gratiæ collatæ in Ecclesia Christi visibilia signa, opinor non plura quam septem inveniri, hisque magis proprie quam reliquis, sub hac ratione, tribui nomen Sacramenti.

This word Sacrament is not, nor ought to be attributed to *Dr. Cox.* these seven only. Those that we call seven Sacraments be found in old authors, although some of them be seldom found called by this name Sacrament.

This word *Sacramentum* neither is nor ought to be so attributed unto these seven; but that it is and may be attributed to many more things, and so the ancients doctors use it. The seven Sacraments be found in ancient doctors, under the name of Sacrament, saving that I remember not that I have read in them penance called a Sacrament.

Nomen commune est multis aliis rebus, quam septem istis *Dr. Oglethorpe.* usitatis Sacramentis. Septem Sacramenta, seorsim et sparsim reperiuntur in veterum monumentis.

To the seven specially and principally, and in general to innumerable more. But I cannot tell whether in any old author might be found these two words, seven Sacraments, or this number limited, but every one of the seven Sacraments, one by one, be found in the old authors. *Dr. Redmayne.*

Sacramentum, in its proper signification, is and ought to be attributed to the seven only; and they be all seven found in the authors. *Dr. Edgeworth.*

This word, Sacrament, is not only to be attributed to the seven, but that the seven Sacraments especially conferreth grace, the old authors especially accounteth them by the number of seven; and these seven are found in authors and Scriptures, although they be not found by the name of seven. *Dr. Symmons.*

I say this word Sacrament is attributed to the seven; and that the seven Sacraments are found in the ancient authors. *Dr. Tresham.*

To the fifth, I say, first, (as before) that this word *Sacramentum*, is not applied or attributed in holy Scripture to any of the seven, but only to matrimony. But it is attributed in Scripture, and ancient authors, to many other things besides these. Howbeit, taking this word *Sacramentum* for a sensible sign of the invisible grace of God given unto Christian people, *Dr. Leygh-ton.*

as the schoolmen, and many other writers take it; I think that the seven commonly called Sacraments, are to be called only and most properly Sacraments.

Dr. Coren. This word Sacrament may well be attributed to the seven; and so it is found in old authors, saving that I do not read expressly in old doctors, penance to be under the name of a Sacrament, unless it be in Chrysostome, in the "Expositio ad Hebræ. Homil. 20. sect. 1. cap. 10. in principio."

Non Con. In quinto prætor Herefordens. Roffens. Dayium, Oglethorpum, Menevens. et Coxum putant omnes nomen Sacramenti præcipue his septem convenire. Symons addit, "The seven Sacraments especially confer grace;" Eboracens. Curran, Tresham, Symons, aiunt septem Sacramenta inveniri apud veteres, quanquam Curren et Symons mox videntur iterum negare.

Dissent. In the fifth, the bishops of Hereford and St. David's, Mr. Day, Mr. Cox, say, that this word Sacrament, in the old authors, is not attributed to the seven only, nor ought not to be attributed. The bishop of Carlisle alleging Waldensis. Mr. Curran, Edgworth, Symons, Tresham, say, that it is, and may be attributed. And Mr. Curran and Mr. Symons, seem to vary against themselves, each in their own answers. For Mr. Curran saith, that this word Sacrament is attributed unto the seven in the old doctors, and yet he cannot find that it is attributed unto penance. Mr. Symons saith, that the old authors account them by the number of seven; and yet he saith, that they be not found there by the name of seven.

6. Question.

Whether the determinate number of seven Sacraments be a doctrine, either of the Scripture or of the old authors, and so to be taught?

Answers.

Canterbury. The determinate number of seven sacraments is no doctrine of the Scripture, nor of the old authors.

York. To the sixth: The Scripture maketh no mention of the Sacraments determined to seven precisely, but the Scripture maketh mention of seven Sacraments, which be used in Christ's Church, and grounded partly in Scripture, and no more be in use of the said Church but seven so grounded; and some of the ancient doctors make mention of seven, and of no more

than seven, as used in Christ's Church so grounded ; wherefore a doctrine may be had of seven sacraments precisely used in Christ's Church, and grounded in Scripture.

To the sixth, I think it be a doctrine set forth by the ancient Fathers, one from another, taking their matter and ground out of Scripture, as they understood it ; though Scripture for all that, doth not give unto all the seven the special names by which now they are called, nor yet openly call them by the name of Sacrament, except only (as is before said) the Sacrament of Matrimony. 45. *London.*

Albeit the seven Sacraments be in effect found both in the Scripture and in the old authors, and may therefore be so taught ; yet I have not read this precise and determinate number of seven Sacraments, neither in the Scripture, nor in the ancient writers. *Rochester.*

By what is here before said, I think it doth well appear, that both the Scripture of God, and holy expositors of the same, would have the seven Sacraments both taught, and, in due form, exhibited to all Christian people, as it shall also better appear by what followeth. *Carlisle.*

In Scriptura tantum unum ex istis septem Sacramentum vocari invenio, nimirum matrimonium : apud veteres reperiuntur omnia hæc septem ; a nullo tamen, quod sciam, nomine septem Sacramentorum celebrari, nisi quod Erasm. ait septem a veteribus recenseri : August. loquens de Sacramentis ad Januarium, Ep. 118. ait numerum septenarium tribui Ecclesiæ proprie instar universitatis ; item objectum fuisse Husso in concilio Constantienti quod infideliter senserit de septem Sacramentis. De perfectione Num. Septenarii, vide August. lib. i. de Civ. cap. 31. *Dr. Robert-son.*

This determinate number of seven Sacraments is no doctrine of Scripture, nor of the old authors, nor ought not to be taught as such a determinate number by Scripture and old authors. *Dr. Cox.*

Neither the Scripture, nor the ancient authors, do recite the determinate number of the seven Sacraments ; but the doctrine of the seven Sacraments is grounded in Scripture, and taught by the ancient authors, albeit not altogether. *Dr. Day.*

Septenarius Sacramentorum numerus, doctrina est recentium theologorum ; quam illi partim ex Scriptura, partim et veterum scriptis, argute in sacrum hunc (ut aiunt) numerum collegerunt. *Dr. Oglethorpe.*

*Dr. Red-
mayne.*

I think, as I find by old authors, the ancient Church used all these seven Sacraments, and so I think it good to be taught.

*Dr. Edge-
worth.*

The determinate number of seven Sacraments is not taught in any one process of the Scripture, nor of any one of the old authors of purpose, speaking of them altogether, or in one process, as far as I can remember; albeit they all seven be there, and there spoken of in Scripture manifestly, and so have the old authors left them in sundry places of their writings; and so it ought to be taught.

*Dr. Sim-
mons.*

Forasmuch as the Scripture teacheth these seven, and sheweth special graces given by the same, the which are not so given by others, called Sacraments, the old authors perceiving the special graces, have accounted them in a certain number, and so have been used by doctors to be called seven, and without inconvenience may so be taught.

*Dr. Tre-
sham.*

I say, the determinate number of seven is not expressly mentioned in the Scripture, like as the determinate number of the seven petitions of the Lord's Prayer is not expressly mentioned; and as I think the seven petitions to have their ground in Scripture, even so do I think of the seven Sacraments, to be grounded in Scripture.

*Dr. Leygh-
ton.*

To the sixth I say, as before, that the old authors call each of these seven Sacraments; but be it, I cannot remember that ever I read the determinate, precise, and express number of seven Sacraments in any of the ancient authors, nor in Scripture. Howbeit we may find in Scripture, and the old authors, also mention made, and the doctrine of each of these seven, commonly called Sacraments.

Dr. Coren.

The determinate number of seven is a doctrine to be taught, for every one of them be contained in Scripture, though they have not the number of seven set forth there, no more than the petitions of the Pater Noster be called seven, nor the Articles of the Creed be called twelve.

Con.

Priori parti quæstionis negative respondent Herefordens. Menevens. Roffens. Dayus, Dunelmens. Oglethorpus, Thurlby: posteriori parti, quod sit doctrina conveniens respondent affirmative Eboracen. Roffen. Carliolen. Londinen. Dayus, Edgworth, Redmayn, Symmons, Curren. Londinen. et Redmanus non respondent priori parti quæstionis, nec Oglethorpus, Tresham, Robinsonus posteriori. Eboracen. Londin. Symmons,

Curren volunt e Scripturis peti doctrinam septem Sacramentorum.

In the sixth, touching the determinate number of the seven *Agreement*. Sacraments, the bishop of Duresme, Hereford, St. David's, and Rochester, the elect of Westminster, Dr. Day, and Dr. Oglethorpe say, this prescribed number of Sacraments is not found in the old authors. The bishop of York, Drs. Curren, Tresham, and Symmons, say the contrary. Concerning the second part, whether it be a doctrine to be taught. The bishops of Hereford, St. David's, and Dr. Cox, think it ought not to be so taught as such a determinate number by Scripture. The bishops of York, London, Carlisle; Drs. Day, Curren, Tresham, Symmons, Crayford, think it a doctrine meet to be taught: and some of them say, that it is founded on Scripture.

7. *Question.*

What is found in Scripture of the matter, nature, effect, and virtue of such as we call the seven Sacraments; so as although the name be not there, yet whether the thing be in Scripture or no, and in what wise spoken of?

Answers.

I find not in the Scripture the matter, nature, and effects of *Canterbury*. all those, which we call the seven Sacraments, but only of certain of them; as of baptism, in which we be regenerated and pardoned of our sin by the blood of Christ: of *eucharistia*, in which we be concorporated unto Christ, and made lively members of his body, nourished and fed to the everlasting life, if we receive it as we ought to do, and else it is to us rather death than life. Of penance also I find in the Scripture, whereby sinners, after baptism, returning wholly unto God, be accepted again unto his favour and mercy. But the Scripture speaketh not of penance, as we call it a Sacrament, consisting in three parts, contrition, confession, and satisfaction; but the Scripture taketh penance for a pure conversion of a sinner in heart and mind from his sins unto God, making no mention of private confession of all deadly sins to a priest, nor of ecclesiastical satisfaction to be enjoined by him. Of matrimony also I find very much in Scripture, and, among other things, that it is a mean, whereby God doth use the infirmity of our concu-

46. piscence to the setting forth of his glory, and increase of the world, thereby sanctifying the act of carnal commixtion between the man and the wife to that use ; yea, although one party be an infidel. And in this and matrimony is also a promise of salvation, if the parents bring up their children in the faith, love, and fear of God. Of the matter, nature, and effect of the other three, that is to say, confirmation, order, and extreme unction, I read nothing in the Scripture as they be taken for Sacraments.

York. To the seventh : Of baptism, we find in Scripture the justification by the word of Christ ; we find also that the matter of baptism is water, the effect and virtue is remission of sins. Of confirmation, we find that the apostles did confirm those that were baptised, by laying their hands upon them, and that the effect then was the coming of the Holy Ghost into them, upon whom the apostles laid their hands, in a visible sign of the gift of divers languages, and therewith of ghostly strength to confess, following upon the same. Of the Sacrament of the altar, we find the institution of Christ, and the matter thereof, bread and wine, the effect, increase of grace. Of the Sacrament of penance, we find the institution in the Gospel, the effect, reconciliation of the sinner, and the union of him to the mystical body of Christ. Of the Sacrament of matrimony, we find the institution both in the Old and New Testament, and the effect thereof, remedy against concupiscence and discharge of sin, which otherwise should be in the office of generation. Of the Sacrament of order, we find, that our Saviour gave to his apostles power to baptize, to bind and to loose sinners, to remit sins, and to retain them, to teach and preach his word, and to consecrate his most precious body and blood, which be the highest offices of order ; and the effect thereof, grace, we find in Scripture. Of extreme unction, we find in the epistle of the holy apostle St. James, and of the effects of the same.

London. To the seventh, I find that St. Austin is of this sentence, that where the Sacraments of the old law did promise grace and comfort, the Sacraments of the new law do give it indeed. And moreover he saith, that the Sacraments of the new law are, “ factu faciliora, pauciora, salubriora, et feliciora,” more easier, more fewer, more wholesomer, and more happy.

Rochester. The Scripture teacheth of baptism, the Sacrament of the altar, matrimony and penance manifestly : there be also in the

Scripture manifest examples of confirmation, viz. that it was done after baptism by the apostles, “per manuum impositionem.” The Scripture teacheth also of order, that it was done “per manuum impositionem cum oratione et jejuniis.” Of the unction of sick men, the Epistle of St. James teacheth manifestly.

I think verily, that of the substance, effect, and virtue, of *Curiale*. these seven usual Sacraments, that are to be taken and esteemed above others, we have plainly and expressly mention by holy Scripture. Of baptism, that whosoever believeth in Christ, and is christened, shall be saved; and except that one be born again of water and the Holy Ghost, he cannot come within the kingdom of God. Of matrimony, we have in Scripture, both by name and in effect, in the Old and New Testament, both by Christ and his apostle Paul. Of the Sacrament of the altar, I find plainly, and expressly, both in the holy Gospels and other places of Scripture. Of penance in like manner. Of confirmation we have in Scripture, that when the Samaritans, by the preaching of Philip, had received the word of God, and were christened, the apostles hearing of the same, sent Peter and John unto them, who, when they came thither, they prayed for them that they might receive the Holy Ghost: then they laid their hands upon them, and so they received the Holy Ghost: this, said Bede, is the office and duty only of bishops. And this manner and form (saith St. Hieron), as it is written in the Acts, the Church hath kept, that the bishop should go abroad to call for the grace of the Holy Ghost, and lay his hands upon them who had been christened by priests and deacons. Of the Sacrament of orders, we have, that Christ made his apostles the teachers of the law, and ministers of his Sacraments, that they should duly do it, and make and ordain others likewise to do it after them. And so the apostles ordained Matthias to be one of their number. St. Paul made and ordained Timothy and Titus, with others likewise. Of the Sacrament of extreme unction, we have manifestly in the Gospel of Mark and Epistle of James.

Materia Sacramentorum est verbum et elementum, virtus *Dr. Robert-son*. quam Deus per illa digne summentibus conferat gratiam, juxta suam promissionem, nimirum quod sint sacra signacula, non tantum signantia, sed etiam significantia. Unde opinor constari hanc Sacramentorum vim esse in sacris literis.

Dr. Cox.

I find in Scripture of such things as we use to call Sacraments. First, of baptism manifestly; of *eucharistia* manifestly; of penance manifestly; of matrimony manifestly; of ordering, “per manus impositionem et orationem,” manifestly. It is also manifest, that the apostles laid their hands upon them that were christened; of the unction of the sick, with prayer manifestly.

Dr. Day.

Albeit the seven Sacraments be not found in Scripture expressed by name, yet the thing itself,—that is, the matter, nature, effect, and virtue of them,—is found there. Of baptism in divers places; of the most holy communion; of matrimony; of absolution; of bishops, priests, and deacons, how they were ordained “per manuum impositionem cum oratione;” of laying the apostles’ hands on them that were christened,—which is a part of confirmation; of unction of them that were sick, with prayer joined withal.

Dr. Oglethorpe.

Natura, vis, effectus, ac uniuscujusque Sacramenti proprietates, seorsim in Scriptura reperitur, ut veteres eam interpretati sunt.

Dr. Redmayn.

As it appeareth in the articles which be drawn of the said seven Sacraments.

Dr. Edgeworth.

In Scripture we find of the form of the Sacraments, as the word Sacramental; and the matter, as the element, oil, chrism; and the patient receiving the Sacrament, and of grace, and increase of virtue given by them, as the effects.

Dr. Symmons.

The things are contained in Scripture, as baptism, confirmation, *eucharistia*, *penitentia*, *extrema unctio*, *ordo*, although they have not there this name *Sacramentum* as matrimony hath; and every one of them hath his matter, nature, effect, and virtue.

Dr. Treham.

I think the thing, the matter, the nature, the effect, and virtue of them all be in the Scripture, and all there instituted by God’s authority; for I think that no one man, neither the whole Church, hath power to institute a Sacrament, but that such institution pertaineth only to God.

Dr. Leygh-ton.

To the seventh, I say, that we may evidently find in Scripture the substance of every one of the seven Sacraments, the nature, effect, and virtue of the same; as of baptism, confirmation, penance, matrimony, and so forth of the rest.

Dr. Coren.

Of the matter, nature, virtue, and effect of such as we call Sacraments, Scripture maketh mention: of baptism mani-

festly ; of the most holy communion manifestly ; of absolution manifestly ; of matrimony manifestly ; of bishops, priests, and deacons, Scripture speaketh manifestly, for they were ordered, “*per impositiones manuum presbyterii cum oratione et jejunio.*” 47.

Conveniunt præter Menevens. naturam septem Sacramento- *Conveniunt.*
rum nobis tradi in Scripturis. Eboracens. effectus singulorum enumerat ; item Carliolens. Londinens. non respondet quæstioni. Treshamus ait ideo e Scripturis tradi nobis Sacramenta, quoniam tota Ecclesia non habet auctoritatem instituendi Sacramenta.

In the seventh they do agree, saving this, that the bishop *Agreement.*
of St. David's says, that the nature, effect, and virtue of these seven Sacraments, only baptism, the Sacrament of the altar, matrimony, penance, are contained in the Scripture. The others say, that the nature and virtue of all the seven be contained in the Scripture.

8. Question.

Whether confirmation, *cum chrismate*, of them that be baptised, be found in Scripture ?

Answers.

Of confirmation with chrism, without which it is counted no *Canterbury.*
Sacrament, there is no manner of mention in the Scripture.

To the eighth ; we find confirmation, *cum impositione ma-* *York.*
num, in Scripture as before ; *cum chrismate* we find not in the Scripture, but yet we find chrismation with oil used even from the time of the Apostles, and so taken as a tradition apostolic.

To the eighth ; I find in Scripture in many places, *de im-* *London.*
positione manuum, which I think (considering the usage commonly and so long withal used) to be confirmation ; and that with chrism, to supply the visible appearance of the Holy Ghost, which Holy Ghost was so visibly seen in the primitive Church ; nevertheless for the perfect declaration of the verity hereof, I refer it to the judgment of men of higher knowledge in this faculty.

Although confirmation be found in the Scripture, by ex- *Rochester.*
ample, as I said before, yet there is nothing written *de chrismate.*

Carisle.

The imposition of hands, the holy doctors take for the same which we call confirmation, done upon them which were christened before, whereof is written in the Acts. And as for *chrisma*, it should seem by Cyprian, both as touching the confection and usage thereof, that it hath a great ground to be derived out of Scripture, though it be not manifestly therein spoken of.

Dr. Robertson.

Res et effectus confirmationis continentur in Scriptura, nempe, impositio manuum per apostolos baptizatis, per quam dabatur Spiritus Sanctus. De chrismate nihil illic legimus, quia per id tempus Spiritus Sanctus signo visibili descenderit in baptizatos. Quod ubi fieri desierit, Ecclesia chrismate signi externi loco uti coepit.

Dr. Cox.

I find not in Scripture that the apostles laying their hands upon them that were baptized, did anoint them *chrismate*.

Dr. Day.

Confirmation *cum chrismate* I read not in Scripture, but "impositionem manuum super baptizatos" I find there is, which ancient authors call confirmation; and inunction with *chrisma* hath been used from the primitive Church.

Dr. Oglethorpe.

De impositione manuum cum oratione, expressa mentio est in Scripturis, quæ nunc usitato nomine, a doctoribus dicitur confirmatio. Sacrum chrisma, traditio est apostolica, ut ex veteribus liquet.

Dr. Redmayn.

The question is not simple, but as if it were asked, whether "eucharistia in infermentato" be in the Scripture, or "baptismus cum sale?" Imposition of the apostles' hands, in which was conferred the Holy Ghost for confirmation of them who were baptized, is found in Scripture. *Chrisma* is a tradition deduced from the apostles, as may be gathered by Scripture, and by the old authors, and the mystery thereof is not to be despised.

Dr. Edgeworth.

This sacrament is one *unitate integritatis*, as some others be: therefore it hath two parts, of which one—that is, *impositio manuum*—is taken Heb. vi. and Acts viii.; the other part—that is, *chrism*—is taken of the tradition of the Fathers, and so used from the primitive Church. *Vid. Cyp. Epist. lib. i. ep. 12.*

Dr. Symmons.

Confirmation is found in Scripture; and confirmation *cum chrismate* is gathered from the old authors.

Dr. Treham.

I say, confirmation is found in Scripture; but this addita-

ment, *cum chrismate*, is not of the Scripture ; yet it is a very ancient tradition, as appeareth by *Cyp. de Unc. Chrism.*

To the eighth question I say, that confirmation of them that be baptized is found in Scripture ; but *cum chrismate* it is not found in Scripture ; but it was used *cum chrismate* in the Church soon after the apostles' time, as it may evidently appear by the cited authors. *Dr. Leygh-ton.*

The laying the bishops' hands upon them that be christened, which is a part of confirmation, is plainly in Scripture ; and the unction with chrism, which is another part, hath been observed from the primitive Church, and is called of St. Austin, "*sacramentum chrismatis.*" Uction of the sick with oil, and the prayer, is grounded expressly in Scripture. *Dr. Coren.*

Conveniunt omnes confirmationem cum chrismate non haberi in Scripturis. Eboracens. Tresham, Coren, Day, Oglethorpe, Edgeworth, Leygh-ton, Simmons, Redman, Robinsonus, confirmationem in Scripturis esse contendunt ; cæterum chrisma esse traditionem Apostolicam. Addit Robertsonus, et ubi fieri desiderat miraculum consecrandi Spiritus Sancti, Ecclesia chrismate signi externi loco uti cœpit ; convenit illi Londinens. *Conveniunt.*

Carliolens. putat usum chrismatis ex Scripturis peti posse ; putant omnes tum in hoc articulo, tum superiori impositionem manuum esse confirmationem.

In the eighth they do agree all, except it be the bishop of Carlisle, that "*confirmatio cum chrismate*" is not found in Scripture, but only "*confirmatio cum manuum impositione* ;" and that also my lord of St. David's denieth to be in Scripture, as we call it a sacrament. My lord of Carlisle saith, that chrisma, as touching the confection and usage thereof, hath a ground to be derived out of Scripture. The others say that it is but a tradition. *Agreement.*

9. Question.

Whether the apostles, lacking a higher power, as in not having a Christian king among them, made bishops by that necessity, or by authority given them by God ?

Answers.

All Christian princes have committed unto them immediately of God the whole cure of all their subjects, as well con- *Canterbury.*

48.

cerning the administration of God's Word for the cure of souls, as concerning the ministration of things political and civil governance; and in both these ministrations they must have sundry ministers under them to supply that which is appointed to their offices. The civil ministers under the king's majesty, in this realm of England, be those whom it shall please his highness for the time to put in authority under him,—as, for example, the lord chancellor, lord treasurer, lord great master, lord privy seal, lord admiral, mayors, sheriffs, &c. The ministers of God's Word, under his majesty, be the bishops, parsons, vicars, and such other priests as be appointed by his highness to that ministration,—as, for example, the bishop of Canterbury, the bishop of Duresme, the bishop of Winchester, the parson of Winwick, &c. All the said officers and ministers, as well of the one sort as the other, be appointed, assigned, and elected, in every place, by the laws and orders of kings and princes. In the admission of many of these officers be divers comely ceremonies and solemnities used, which be not of necessity, but only for a good order and seemly fashion: for if such offices and ministrations were committed without such solemnity, they were nevertheless truly committed; and there is no more promise of God, that grace is given in the committing of the ecclesiastical office, than it is in committing of the civil office. In the apostles' time, when there was no Christian prince by whose authority ministers of God's Word might be appointed, nor sins by the sword corrected, there was no remedy then for the correction of vice, or appointing of ministers, but only the consent of Christian multitudes among themselves, by an uniform consent, to follow the advice and persuasion of such persons whom God had most endued with the spirit of counsel and wisdom. And at that time, forasmuch as the Christian people had no sword nor governor amongst them, they were constrained of necessity to take such curates and priests as either they knew themselves to be meet thereunto, or else as were commended unto them by others, that were so replete with the Spirit of God, with such knowledge in the profession of Christ, such wisdom, such conversation and counsel, that they ought even of very conscience to give credit unto them, and to accept such as by them were presented. And so sometimes the apostles and others, unto whom God had given abundantly his Spirit, sent or appointed ministers

of God's Word. Sometimes the people did choose such as they thought meet thereunto; and when any were appointed or sent by the apostles or others, the people of their own voluntary will with thanks did accept them,—not for the supremacy, impery, or dominion, that the apostles had over them to command, as their princes or masters; but as good people, ready to obey the advice of good counsellors, and to accept any thing that was necessary for their edification or benefit.

To the ninth: we find in Scripture, that the apostles used *York.* the power to make bishops, priests, and deacons; which power may be grounded upon these words,—“Sicut misit me vivens Pater, sic ego mitto vos,” &c.—and we verily think, that they durst not have used so high power unless they had had authority from Christ; but that their power to ordain bishops, priests, or deacons, by imposition of hands, requireth any other authority than authority of God, we neither read in Scripture nor out of Scripture.

To the ninth: I think the apostles made bishops by the law *London.* of God, because, Acts xxii. it is said, “In quo vos Spiritus Sanctus posuit.” Nevertheless, I think, if Christian princes had been then, they should have named by right, and appointed the said bishops to their rooms and places.

I think that the apostles made bishops by authority given *Rochester.* them by God.

That Christ made his apostles, priests, and bishops, and that *Carlisle.* he gave them power to make others like, it seemeth to be the very trade of Scripture.

Opinor apostolos autoritate divina creasse episcopos et *Dr. Robert-* presbyteros, ubi publicus magistratus permittit. *son.*

Although the apostles had no authority to force any man to *Dr. Cox.* be priest, yet they—moved by the Holy Ghost—had authority of God to exhort and induce men to set forth God's honour, and so to make them priests.

The apostles made—that is to say, ordained—bishops by *Dr. Day.* authority given them by God (John xx.); “Sicut misit me vivens Pater, ita et ego mitto vos” (Item John ult. et Acts xx. et 1 Tim. iv.); “Paulus ordinavit Timotheum et Titum, et præscribit quales illi debeant ordinare.” (1 Tim. i. Tit. i.)

Apostoli autoritate et mandato Dei, ordinabant ac institue- *Dr. Ogle-* bant episcopos, petita ac obtenta prius facultate a principe ac *thorpe.* magistratu (ut opinor) qui tum præerat.

*Dr. Red-
mayn.*

Christ gave his apostles authority to make other bishops and ministers in his Church, as he had received authority of the Father to make them bishops; but if any Christian prince had then been, and ought to have been, the apostles had been obedient subjects, and would nothing have attempted but under the permission and assent of their earthly governors: yet was it meet that they which were special and most elect servants of our Saviour Christ, and were sent by him to convert the world, and having most abundantly the Holy Ghost in them, should have special ordering of such ministry as pertained to the planting and increasing of the faith; whereunto, I doubt not, but a Christian prince, of his godly mind, would most lovingly have condescended. And it is to be considered, that, in this question, with other like, this word, "making of a bishop, or priest," may be taken two ways: for understanding the word to ordain or consecrate, so it is a thing which pertaineth to the apostles and their successors only; but if by this word "making" be understood the appointing or naming to the office, so it pertaineth specially to the supreme heads and governors of the Church, which be princes.

*Dr. Edge-
worth.*

The apostles made bishops and priests by authority given them of God, and not for lack of any higher power: notwithstanding, where there is a christened king or prince, the election, deputation, and assignation of them that shall be priests or bishops belongeth to the king or prince, so that he may forbid any bishop within his kingdom, that he give no orders for considerations moving him, and may assign him a time when he shall give orders, and to whom: example of king David, 1 Chron. xxiv. dividing the Levites into twenty-four orders, deputing over every order one chief bishop, prescribing an ordinal and rule how they should do their duties, their courses, and what sacrifices, rites, and ceremonies they should use every day, as the day and time required. And his son, king Solomon, diligently executed and commanded the same usages to be observed in the Temple, after he had erected and finished it,—2 Chron. viii.

*Dr. Sym-
mons.*

The apostles made bishops and priests by authority given them of God.

*Dr. Tie-
sham.*

I say, that the apostles had authority of God to make bishops: yet, if there had been a Christian king in any place where they made bishops, they would, and ought, to have

desired authority also of him for the executing of such their godly acts, which no Christian king would have denied.

To the ninth, I say, that the apostles (as I suppose) made bishops by authority given unto them of Christ; howbeit I think they would and should have required the Christian princes' consent and license thereto, if there had been any Christian kings or princes. 49.
Dr. Leygh-
ton.

The apostles made bishops and priests by authority given them of God; notwithstanding, if there had been a Christian king at that time, it had been their duties to have had his license and permission to do the same. *Dr. Coren.*

Omnes conveniunt apostolos divinitus accepisse potestatem creandi episcopos; Eboracens. addit, non opus fuisse alia auctoritate apostolis quam divina: sic Thirleby et Edgworth, Redmaynus distinguit de institutione presbyteri, ordinationem et consecrationem tribuit tantum apostolicis et eorum successoribus, nominationem et electionem magistratibus: sic Londinens. Leyghtonus, Redman, Tresham, Curren, aiunt petendam fuisse potestatem a magistratu Christiano, si tum fuisset. Robertsonus non respondet quaestioni, concedit enim datam esse apostolis potestatem creandi episcopos ubi magistratus permittit. Oglethorpus putat eas impetrasse potestatem a principibus. Carliolens. Roffens. Dayus, non respondent ultimæ parti. *Conveniunt.*

In the ninth, touching the authority of the apostles in making priests, the bishop of York, the elect of Westminster, Dr. Edgworth, say, that the apostles made priests by their own power, given them by God, and that they had no need of any other power. The bishop of St. David's says, that because they lacked a Christian prince, by that necessity they ordained other bishops. Dr. Leyghton, Curren, Tresham, and Redmayn, suppose, that they ought to have asked license of their Christian governors, if then there had been any. *Agreement.*

10. Question.

Whether bishops or priests were first; and if the priests were first, then the priest made the bishop.

Answers.

The bishops and priests were at one time, and were not two *Canterbury.*

things, but both one office in the beginning of Christ's religion.

York.

To the tenth, we think, that the apostles were priests before they were bishops; and that the Divine power which made them priests, made them also bishops. And although their ordination was not by all such course as the Church now useth; yet that they had both visible and invisible sanctification, we may gather of the Gospel, where it is written, "*Sicut misit me Pater vivens, et ego mitto vos: et cum hæc dixit, insufflavit in eos et dixit, Accipite Spiritum Sanctum: quorum remiseritis,*" &c.; and we may well think, that then they were made bishops, when they had not only a flock, but also shepherds appointed to them to overlook, and a governance committed to them by the Holy Ghost to oversee both; for the name of a bishop is not properly a name of order, but a name of office, signifying an overseer. And although the inferior shepherds have also cure to oversee their flock, yet, forasmuch as the bishop's charge is also to oversee the shepherds, the name of overseer is given to the bishops, and not to the other; and as they be in degree higher, so in their consecration we find difference even from the primitive Church.

London.

To the tenth, I think the bishops were first; and yet I think it is not of importance, whether the priest then made the bishop, or else the bishop the priest: considering (after the sentence of St. Jerome) that in the beginning of the Church there was none (or, if it were, very small,) difference between a bishop and a priest, especially touching the signification.

Rochester.

I find in Scripture, that Christ, being both a priest and a bishop, ordained his apostles, who were both priests and bishops; and the same apostles did afterwards ordain bishops, and commanded them to ordain others.

Carlisle.

Christ made his apostles exorcists, as it appeareth in the 10th of St. Matthew; deacons, priests, and bishops, as partly there, and after, in the 20th of St. John, "*quorum remisistis,*" &c.; and where he said, "*hoc facite in meam commemorationem.*" In the Acts, "*cæterorum nemo audebat se conjungere illis.*" So that they were all these together; and so being according to the ordinance of Christ, who had made after them seventy-two priests, as it appeareth in the

10th of St. Luke ; they made and ordained also others the seven principal deacons, as it is showed in the 6th of the Acts, where it is said, that they, praying, laid their hands upon them. In the 13th of the Acts, certain there named at the commandment of the Holy Ghost, severed Saul and Barnabas to that God had taken them, fasting, praying, and laying their hands upon them ; the which Saul, Ananias the disciple had baptized, laying his hand upon him, that he might be replenished with the Holy Ghost, And Paul so made, ordained Timothy and Tite, willing them to do likewise as he had done, and appointed to be done from city to city. James was ordained the bishop of Jerusalem, by Peter, John, and James. So that example otherwise we read not.

Incertus sum utri fuere priores, at si apostoli in prima profectione ordinati erant, apparet episcopos fuisse priores, nempe apostolos, nam postea designavit Christus alios septuaginta duos. Nec opinor absurdum esse, ut sacerdos episcopum consecret, si episcopus haberi non potest. Dr. Robertson.

Although by Scripture (as St. Hierom saith) priests and bishops be one, and therefore the one not afore the other ; yet bishops, as they be now, were after priests, and therefore made of priests. Dr. Cox.

The apostles were both bishops and priests, and they made bishops and priests, as Titus and Timotheus made priests. "Episcopatum ejus accipiat alter," Acts i. "Presbyteros qui in vobis sunt, obsecro et ego compresbyter," 1 Peter v. And in the beginning of the Church, as well that word *episcopus*, as presbyter, was common and attributed both to bishops and priests. Dr. Day.

Utrique primi a Deo facti, apostoli, episcopi ; septuaginta discipuli (ut conjectura ducor) sacerdotes. Unde verisimile est episcopos præcessisse, apostoli enim prius vocati erant. Dr. Oglethorpe.

They be of like beginning, and at the beginning were both one, as St. Hierom and other old authors show by the Scripture, wherefore one made another indifferently. Dr. Redmayn.

Christ, our chief Priest and Bishop, made his apostles priests and bishops all at once, and they did likewise make others, some priests and some bishops ; and that the priest in the primitive Church made bishops, I think no inconvenience (as Jerome saith, in an epistle "Ad Evagrium"). Even like as soldiers should choose one among themselves to be their Dr. Edgeworth.

captain, so did priests choose one of themselves to be their bishop, for consideration of his learning, gravity and good living, &c., and also for to avoid schisms among themselves by them, that some might not draw the people one way, and others another way, if they lacked one head among them.

50.

Dr. Sym-
mons.

Christ was, and is the great high bishop, and made all his apostles bishops; and they made bishops and priests after him, and so hath it evermore continued hitherto.

Dr. Tre-
sham.

I say, Christ made the apostles first priests, and then bishops, and they by this authority made both priests and bishops, but where there had been a Christian prince, they would have desired his authority to the same.

Dr. Leygh-
ton.

To tenth—

Dr. Coren.

The apostles were made of Christ bishops and priests, both at the first; and after them, *septuaginta duo discipuli* were made priests.

Convenient.

Menevens. Thirleby, Redmanus, Coxus, asserunt in initio eodem fuisse episcopos et presbyteros. Londinens. Carliolens. Symmons, putant apostolos fuisse institutos episcopos a Christo, et eos post ea instituisse alios et episcopos et presbyteros, et 72 presbyteros postea fuisse ordinatos: sic Oglethorpus, Eboracens. et Tresham, aiunt apostolos primo fuisse presbyteros, deinde episcopos, cum aliorum presbyterorum credita esset illis cura. Robertsonus incertus est utri fuere priores, non absurdum tamen esse opinatur, ut sacerdos consecret episcopum, si episcopus haberi non potest. Sic Londinens. Edgworth, Dayus, putant etiam episcopos, ut vulgo de episcopis loquimur, fuisse ante presbyteros. Leightonius nihil respondet.

Agreement.

In the tenth, where it is asked whether bishops or priests were first? the bishop of St. David's, my lord elect of Westminster, Dr. Cox, Dr. Redman, say, that at the beginning they were all one. The bishops of York, London, Rochester, Carlisle; Drs. Day, Tresham, Symmons, Oglethorp, be in other contrary opinions. The bishop of York and Dr. Tresham think that the apostles were first priests, and after were made bishops, when the overseeing of other priests was committed to them. My lords of Duresme, London, Carlisle, Rochester; Dr. Symmons and Crafford, think that the apostles first were bishops, and they after made other bishops and priests. Dr. Coren and Oglethorp say, that the apostles

were made bishops, and the seventy-two were after made priests. Dr. Day thinks that bishops, as they be now a-days called, were before priests. My lord of London, Drs. Edgworth and Robertson, think it no inconvenience if a priest made a bishop in that time.

11. *Question.*

Whether a bishop hath authority to make a priest by the Scripture, or no? and whether any other but only a bishop may make a priest?

Answers.

A bishop may make a priest by the Scripture; and so may *Canterbury*. princes and governors also, and that by the authority of God committed to them, and the people also by their election. For as we read that bishops have done it, so Christian emperors and princes usually have done it, and the people, before Christian princes were, commonly did elect their bishops and priests.

To the eleventh, that a bishop may make a priest, may be *Fork*. deduced of Scripture; for so much as they have all authority necessary for the ordering of Christ's Church, derived from the apostles, who made bishops and priests, and not without authority, as we have said before to the ninth question; and that any other than bishops or priests may make a priest, we neither find in Scripture nor out of Scripture.

To the eleventh, I think that a bishop, duly appointed, hath *London*. authority by Scripture to make a bishop, and also a priest: because Christ being a bishop, did so make himself; and because alive, his apostles did the like.

The Scripture sheweth, by example, that a bishop hath *Rochester*. authority to make a priest; albeit no bishop, being subject to a Christian prince, may either give orders to excommunicate, or use any manner of jurisdiction, or any part of his authority, without commission from the king, who is supreme head of that Church, whereof he is a member; but that any other man may do it besides a bishop, I find no example, either in Scripture, or in doctors.

By what is said before, it appeareth that a bishop, by Scrip- *Carlisle*. ture, may make deacons and priests, and that we have no example otherwise.

Dr. Robertson. Opinor episcopum habere auctoritatem creandi sacerdotem, modo id magistratus publici permissu fiat. An vero ab alio quam episcopo id rite fieri possit, haud scio, quamvis ab alio factum non memini me legisse. Ordin. conferr. gratiam, vid. Ec. Homil. 60.

Dr. Cox. Bishops have authority, as is aforesaid, of the apostles, in the tenth question, to make priests, except in cases of great necessity.

Dr. Day. Bishops have authority by Scripture to ordain bishops and priests, John xx. "Hujus rei gratia reliqui te Cretæ, ut constituas oppidatim presbyteros," Tit. i. Acts xiv.

Dr. Oglethorpe. Autoritas ordinandi presbyteros data est episcopis per verbum, multisque aliis quos legi."

Dr. Redmayn. To the first part, I answer, yea; for so it appeareth, Tit. i. and 1 Tim. v., with other places of Scripture. But whether any other but only a bishop may make a priest, I have not read; but, by singular privilege of God, as when Moses (whom divers authors say was not a priest) made Aaron a priest. Truth it is, that the office of a godly prince is to oversee the Church, and the ministers thereof; and to cause them to do their duty, and also to appoint them special charges and offices in the Church, as may be most for the glory of God, and edifying of the people: and thus we read of the good kings in the Old Testament, David, Joas, Ezekias, Josias. But as for making, that is to say, ordaining and consecrating of priests, I think it specially belongeth to the office of a bishop, as far as can be showed by Scripture, or any example, as I suppose, from the beginning.

Dr. Edgeworth. A bishop hath authority by Scripture to make a priest, and that any other ever made a priest since Christ's time, I read not. Albeit Moses, who was not anointed priest, made Aaron priest and bishop, by a special commission or revelation from God, without which he would never so have done.

Dr. Symmons. A bishop placed by the higher powers, and admitted to minister, may make a priest; and I have not read of any other that ever made priests.

Dr. Treham. I say, a bishop hath authority by Scripture to make a priest, and other than a bishop hath not power therein, but only in cases of necessity.

Dr. Leygh-ton. To the eleventh, I suppose that a bishop hath authority of God, as his minister, by Scripture, to make a priest; but he

ought not to admit any man to be priest, and consecrate him, or appoint him to any ministry in the Church, without the prince's licence and consent, in a Christian region. And that any other man hath authority to make a priest by Scripture, I have not read, nor any example thereof.

A bishop, being licensed by his prince and supreme governor, *Dr. Curren.* hath authority to make a priest by the law of God. I do not read that any priest hath been ordered by any other than a bishop.

Ad primam partem quæstionis respondent omnes et convenit omnibus præter Menevens. episcopum habere auctoritatem instituendi presbyteros. Roffens. Leighton, Curren, Robertsonus, addunt, modo magistratus id permittat. Ad secundam partem respondent Coxus et Tresham in necessitate concedi potestatem ordinandi aliis. Eboracen. videtur omnino denegare aliis hanc auctoritatem. Redman, Simmons, Robertson, Leighton, Thirleby, Curren, Roffen. Edgworth, Oglethorpe, Carlolen. nusquam legerunt alios usos fuisse hac potestate, quanquam (privilegium quodam) data sit Moysi, ut Redmanus arbitratur, et Edgworth. Nihil respondent ad secundam partem quæstionis Londinensis et Dayus. 51. *Convenient.*

In the eleventh: to the former part of the question, the bishop of St. David's doth answer, that bishops have no authority to make priests without they be authorized of the Christian princes. The others, all of them do say, that they be authorized of God. Yet some of them—as the bishop of Rochester, Dr. Curren, Leighton, Robertson—add, that they cannot use this authority without their Christian prince doth permit them. To the second part, the answer of the bishop of St. David's is, that laymen have otherwhiles made priests. So doth Dr. Edgworth and Redman say, that Moses, by a privilege given him of God, made Aaron his brother priest. Dr. Tresham, Crayford, and Cox, say, that laymen may make priests in time of necessity. The bishops of York, Duresme, Rochester, Carlisle, elect of Westminster, Dr. Curren, Leighton, Simmons, seem to deny this thing: for they say, they find not, nor read not, any such example. *Agreement.*

12. Question.

Whether in the New Testament be required any consecra-

tion of a bishop and priest, or only appointing to the office be sufficient?

Answers.

Canterbury. In the New Testament, he that is appointed to be a bishop or a priest, needeth no consecration by the Scripture; for election or appointing thereto is sufficient.

York. To the twelfth question: the apostles ordained priests by imposition of the hand, with fasting and prayer; and so, following their steps, we must needs think that all the foressaid things be necessarily to be used by their successors; and, therefore, we do also think, that appointment only, without visible consecration and invocation for the assistance and power of the Holy Ghost, is neither convenient nor sufficient: for, without the said invocation, it beseemeth no man to appoint to our Lord ministers, as of his own authority. Whereof we have example in the Acts of the Apostles, where we find, that when they were gathered to choose one in the place of Judas, they appointed two of the disciples, and commended the election to our Lord, that he would choose which of them it pleased him, saying and praying, "Lord, thou that knowest the hearts of all men, show whether of these two thou dost chuse to succeed in the place of Judas." And to this purpose in the Acts, we read, "Dixit Spiritus Sanctus, segregate mihi Barnabam," &c. And again, "Quos posuit Spiritus Sanctus regere Ecclesiam Dei." And it appeareth also that in the Old Testament, in the ordering of priests, there was both visible and invisible sanctification; and therefore in the New Testament, where the priesthood is above comparison higher than in the Old, we may not think that only appointment sufficeth without sanctification, either visible or invisible.

London. To the twelfth, I think consecration of a bishop and priest be required, for that in the old law (being yet but a shadow and figure of the new) the consecration was required, as appears Levit. viii., yet the truth of this I leave to those of higher judgments.

Rochester. The Scripture speaketh, "De impositione manus, et de oratione:" and of other manner of consecrations, I find no mention in the New Testament expressly; but the old authors make mention also of inunctions.

Upon this text of Paul to Timothy, “Noli negligere gratiam *Carisle.* quæ in te est, quæ data est tibi per prophetiam cum impositione manuum presbyterii,”—St. Anselm saith this grace to be the gift of the bishop's office, to the which God of his mere goodness hath called and preferred him: the prophecy (he saith) was the inspiration of the Holy Ghost, by the which he knew what he had to do therein: the imposition of the hand is that by the which he was ordained and received that office. And therefore, saith St. Paul, “God is my witness, that I have discharged myself, showing you as I ought to have done. Now look you well upon it whom that ye take to orders, lest ye lose yourself thereby.” Let bishops, therefore, who (as saith St. Hierom) have power to make priests, consider well under what law the order of ecclesiastical constitution is bounden; and let them not think those words of the Apostle to be his, but rather the words of Christ himself.

Opinor requiri consecrationem quandam, hoc est, impositionem manuum, orationem, jejunium, &c. Tamen nusquam hoc munere fungi posse, nisi, ubi magistratus invitet, jubeat, aut permittat. *Dr. Robert-sm.*

By Scripture there is no consecration of bishops and priests required, but only the appointing to the office of a priest, *Dr. Cox.* cum impositione manuum.

Consecration of bishops and priests I read not in the New Testament; but *Dr. Day.* *ordinatio per manuum impositionem cum oratione* is read there, as in the places above; and the only appointment, as I think, is not sufficient.

Præter vocationem, ceu designationem externam, quæ vel a principe fit, vel a populo per electionem et suffragia, requiritur *Dr. Oglethorpe.* ordinatio alia per manuum impositionem, idque per verbum Dei.

Besides the appointing to the office, it appeareth, that, in the primitive Church, the Apostles used certain consecration of the ministers of the Church, by imposition of hands and prayer (Acts vi.), and with fasting (Acts xiv. &c.) The office of priesthood is too dangerous to set upon, when one is but appointed only: therefore, for the confirmation of their faith who take in hand such charge, and for the obtaining of farther grace requisite in the same, consecration was ordained by the Holy Ghost, and hath been always used from the beginning. *Dr. Redmayne.*

Dr. Edgeworth. Deputation to the office is not sufficient to make a priest or a bishop, as appeareth by David and Solomon, who deputed the twenty-four above-mentioned to their offices; yet they made none of them priests, nor any other.

Dr. Symmons. The appointing to the office, *per manuum impositionem*, is in Scripture; and the consecration of them hath of long time continued in the Church.

Dr. Tresham. There is a certain kind of consecration required, which is imposition of the bishop's hands with prayer, and the appointing only is not sufficient.

Dr. Legh-ton. To the twelfth: I suppose that there is a consecration required, as by imposition of hands; for so we be taught by the ensample of the Apostles.

Dr. Coren. In the New Testament is required to the making of a bishop *impositio manuum cum oratione*, which I take for consecration; and appointment unto the office is not sufficient; for king David (1 Chron. xxiv.) did appoint twenty-four to be bishops, who after were consecrated; so that both the appointment and the consecration be requisite.

Conueniunt. Respondent Eboracens. Londinens. Carliolens. Leighton, Tresham, Robertsonus, Edgworth, Curren, Dayus, Oglethorpe, consecrationem esse requisitam. Redmanus ait, eam receptam esse ab Apostolis, atque a Spiritu Sancto institutam ad conferendam gratiam. Dayus, Roffens. Simmons, aiunt sacerdotium conferri per manuum impositionem, idque e Scripturis; consecrationem vero diu receptam in Ecclesia; Coxus institutionem cum manuum impositione sufficere, neque per Scripturam requiri consecrationem. Robertsonus addit supra alios nusquam hoc munere fungi posse quempiam, nisi ubi magistratus invitet, jubeat aut permittat.

Agreement. In the twelfth question, where it is asked, whether in the New Testament be required any consecration of a bishop, or only appointing to the office be sufficient, the bishop of St. David's saith, that only the appointing; Dr. Cox, that only appointing, *cum manuum impositione*, is sufficient without consecration; the bishops of York, London, Duresme, Carlisle, Drs. Day, Curren, Leighton, Tresham, Edgworth, Oglethorpe, say that consecration is requisite; Dr. Redman saith that consecration hath been received from the apostles' time, and institute of the Holy Ghost to confer grace; my lord of Ro-

chester and Drs. Day and Simmons say, that priesthood is given *per manuum impositionem*—and that by Scripture, and that consecration hath of long time been received in the Church.

Having now transcribed at length the resolution of this committee of bishops and divines, upon most of the articles, I shall be shorter on what remains, and only set down the question, with the agreement or disagreement upon it; but because the archbishop of Canterbury's opinion is not mentioned in summing up the evidence, I shall therefore continue to give it the reader as it stands in the head of the article.

13. *Question.*

Whether, if it fortune a Christian prince, learned, to conquer certain dominions of infidels, having none but temporal learned men with him, if it be defended by God's law, that he and they should preach and teach the Word of God there, or no?—and also make and constitute priests, or no?

It is not against God's law, but contrary, they ought *Canterbury.* indeed so to do; and there be histories that witness, that some Christian princes and other laymen unconsecrate have done the same.

In prima parte quæstionis conveniunt omnes, etiam laicos, *Conveniunt.* tali rerum statu, non solum posse sed debere docere. Menevens. Thirlebeus, Leightonus, Coxus, Simmons, Tresham, Redmanus, Robertsonus, etiam potestatem ministrandi sacramenta, et ordinandi ministros, concedunt illis. Eboracensis. hanc prorsus potestatem denegat. Coren credit principem divinitus illuminandum et consecrandum fore in episcopum interne, aut aliquem ex suis, Pauli exemplo. Simile habet Herefordensis et Carliolensis. Dayus nihil respondet de ordinandis presbyteris in hac necessitate.

In the thirteenth: concerning the first part, whether lay- *Agreement.* men may preach and teach God's Word, they do all agree, in such a case, that not only they may, but they ought, to teach. But, in the second part, touching the constituting of priests of laymen, my lord of York and Dr. Edgworth do not agree with the other: they say, that laymen in no wise can make priests, or have such authority. The bishops of Duresme, St. David's, Westminster, Drs. Tresham, Cox, Leighton,

Crayford, Simmons, Redman, and Robertson, say that laymen in such case have authority to minister the sacraments, and to make priests. My lords of London, Carlisle, and Hereford, and Dr. Coren, think that God in such a case would give the prince authority, call him inwardly, and illuminate him, or some of his, as he did St. Paul.

14. *Question.*

Whether it be forefended by God's law, that, if it so fortune that all the bishops and priests of a region were dead, and that the Word of God should remain there unpreached, the sacrament of baptism and others unministered, that the king of that region should make bishops and priests to supply the same, or no ?

Canterbury. It is not forbidden by God's law.

Convenient. Fatentur ut prius omnes, laicos posse docere. Eboracens. Simmons, Oglethorpe, negant posse ordinare presbyteros, tamen concedit Eboracens. baptizare et contrahere matrimonia, Edgworth tantum baptizare posse ; nam sufficere dicit ad salutem. Alii omnes eandem potestatem concedunt, quam prius. Roffens. non aliud respondet his duabus quæstionibus, quam quod necessitas non habet legem.

Agreement. In the fourteenth they agree for the most part, as they did before : that laymen in this case may teach and minister the sacraments. My lord of York, Dr. Simmons, and Oglethorpe, say they can make no priests, although Simmons said they might minister all sacraments, in the question before ; yet my lord of York and Edgworth do grant that they may christen. The bishops of London, Rochester, and Dr. Crayford, say that in such a case, "necessitas non habet legem."

15. *Question.*

Whether a man be bound by authority of this Scripture, "quorum remisistis," and such like, to confess his secret deadly sins to a priest, if he may have him, or no ?

Canterbury. A man is not bound by the authority of this Scripture, "quorum remisistis," and such like, to confess his secret deadly sins to a priest, although he may have him.

Convenient. Eboracens. Londinens. Dayus, Oglethorpus, Coren, Redman, asserunt obligari. Coxus, Tresham, et Robertsonus dicunt non obligari, si aliter conscientiæ illorum satisfieri

queat; Menevens. nullo modo obligari. Carliolens. et Simmons aiunt, secundum veterum interpretationem hac Scriptura quemvis obligari peccatorum. Roffens. Herefordens. et Thirleby, non respondent, sed dubitant. Leightonus solum indoctos obligari ad confessionem. Edgworth tradit duplicem modum remissionis peccatorum, per contritionem, sive attritionem, et per absolutionem: et quia nemo potest certus esse, num attritio et dolor pro peccato sufficiat ad satisfaciendum Deo et obtinendam gratiam, ideo tutissimam viam deligendam, scilicet, absolutionem a sacerdote, quæ per promissionem Christi est certa; absolvere non potest nisi cognoscat peccata; ergo peccata per confessionem sunt illi revelanda.

In the fifteenth, concerning confession of our secret deadly sins. The bishops of York, Duresme, London, Drs. Day, Coren, Oglethorpe, Redmayne, Crayford, say, that men be bound to confess them of the secret sins. Drs. Cox, Tresham, Robertson, say, they be not bound, if they may quiet their consciences otherwise. The bishop of St. David's also saith, that this text bindeth no man. Dr. Leighton saith, that it bindeth only such as have not the knowledge of the Scripture. The bishop of Carlisle and Symmons say, that by ancient doctors' exposition, men be bound, by this text, to confess their deadly sins. 53.
Agreement.

16. *Question.*

Whether a bishop or a priest may excommunicate, and for what crimes? And whether they only may excommunicate by God's law?

A bishop or a priest by the Scripture is neither commanded nor forbidden to excommunicate; but where the laws of any region give him authority to excommunicate, there they ought to use the same in such crimes, as the laws have such authority in, and where the laws of the region do forbid them, there they have none authority at all; and they that be no priests may also excommunicate, if the law allow them thereunto. *Canterbury.*

Menevens. Herefordens. Thirleby, Dayus, Leightonus, Coxus, Symmons, Coren, concedunt auctoritatem excommunicandi etiam laicis, modo a magistratu deputentur. Eboracens. et Edgworth prorsus negant datum laicis, sed Apostolis et eorum successoribus tantum. Roffensis, Redmaynus, et Ro-

bertsonus ambigunt num detur laicis. Londinens. non respondet quaestioni: Oglethorpus et Thirleby aiunt, Ecclesiae datam esse potestatem excommunicandi; idem Treshamus.

Agreement. In the sixteenth, of excommunication, they do not agree. The bishops of York, Duresme, and Dr. Edgworth say, that laymen have not the authority to excommunicate, but that it was given only to the Apostles and their successors. The bishops of Hereford, St. David's, Drs. Day, Coren, Leighton, Cox, Symmons, say, that laymen may excommunicate if they be appointed by the high ruler. My lord elect of Westminster, Dr. Tresham, and Dr. Oglethorpe say farther, that the power of excommunication was given to the Church, and to such as the Church shall institute.

17. Question.

Whether unction of the sick with oil, to remit venial sins, as it is now used, be not spoken of in the Scripture, or in any ancient authors?

Canterbury. Uction of the sick with oil, to remit venial sins, as it is now used, is not spoken of in the Scripture, nor in any ancient authors.

T. CANTUARIEN. This is mine opinion and sentence at this present, which I do not temerarily define, but do refer the judgment thereof wholly unto your majesty.

Convenient. Menevens. et Coxus negant unctionem olei (ut jam est recepta) ad remittenda peccata contineri in Scripturis. Eboracens. Carliolens. Edgworth, Coren, Redmayne, Symmons, Leighton, Oglethorpe aiunt haberi in Scripturis. Roffens. Thirleby, Robertsonus, præterquam illud Jacobi v. Marci vi. nihil proferunt. Herefordensis ambigit. Tresham vult unctionem olei tradi nobis e Scripturis, sed unctionis ceremonias traditiones esse humanas.

Agreement. In the last: the bishop of St. David's and Dr. Cox say, that unction of the sick with oil consecrate, as it is now used to remit sins, is not spoken of in Scripture. My lords of York, Duresme, Carlisle, Drs. Coren, Edgworth, Redmayne, Symmons, Leighton, and Oglethorpe say, that it is found in Scripture.

To this I shall subjoin another determination upon the article of confirmation. And here, excepting the archbishops

of Canterbury and York, we have none of the bishops or divines already mentioned. Besides, by Stokesly, bishop of London, being concerned in this paper, we may conclude the article could not be argued after September 1539, for then this prelate died. But by Thirleby elect of Westminster's being engaged in the discussion of the seventeen questions, it is evident these were debated in December 1540; for the king's letters-patent, for the founding the see of Westminster, are dated December 17th, in the thirty-second of his reign: that is, A.D. 1540.

Whether Confirmation be instituted by Christ?

Cranmer, archbishop of Canterbury's paper?

Biblioth.
Cotton.
Cleop. v.
fol. 83.

The Answer.

There is no place in Scripture that declareth this Sacrament to be institute of Christ.

First. For the places alleged for the same, be no institutions, but acts and deeds of the apostles.

Secondly. Those acts were done by a special gift given to the apostles for the confirmation of God's Word at that time.

Thirdly. The said especial gift doth not now remain with the successors of the apostles.

What is the external sign?

The Church useth cream for the exterior sign, but the Scripture maketh no mention thereof.

What is the efficacy of this Sacrament?

The bishop in the name of the Church doth invoke the Holy Ghost to give strength and constancy, with other spiritual gifts, unto the person confirmed; so that the efficacy of this Sacrament is of such value as is the prayer of the bishop, made in the name of the Church.

Hæc respondeo, salvo semper eruditiorum et Ecclesiæ orthodoxæ iudicio.

Stokesly, bishop of London's paper.

The first question: Whether the Sacrament of Confirmation be a Sacrament of the New Testament instituted by Christ?

To this I answer, that it is.

The second question: What is the outward sign, and the invisible graces, which be conferred in the same?

To this I answer, that the words "signo te signo sanctæ crucis, et confirmo te, &c.," with the consignation, with the cream, and imposition of hands of the prelates, be the signs and the increase of the gifts of the Holy Ghost, and especially of fortitude, to speak, show, and defend the faith, and to suffer for the same, in case need be.

The third question : What promises be made of the said graces ?

I answer, that the facts and deeds that be expressed in the books of the apostles, with the effects ensuing, by the imposition of their hands, upon them, that before had received remission of their sins, joined with the promises of Christ, made to his Church, and the continual belief of the university of the same Catholic Church from the time of the apostles hitherto, without contradiction of any man, (ignorants and suspects of heresy only excepted) makes us, and in my opinion, without prejudice of other men's opinion, ought to suffice to make all men, that have promised to believe the Catholic Church, assuredly to think, that God hath made the promises of the said grace.

54. Ego Joannes London. sic respondeo, fretus autoritate et testimonio antiquissimorum, eorumque doctissimorum pariter ac sanctissimorum virorum, et præcipue sanctæ Matris nostræ Ecclesiæ Catholicæ, cui etiam in non expressis in sacra Scriptura, non multo minus quam scriptis, fides adhibenda est ; nisi tam de baptismo parvulorum, quam de perpetua Deiparæ Virginis integritate, et id genus compluribus, quibus sine salutis periculo nemo diffidit, licebit salva fide contradicere.

The Opinion of some other Bishops and Divines. An Original in their own hands.

Cleop. E. v.
fol. 73.
*Archbishop
of York.*

1. Whether this Sacrament be a Sacrament of the New Testament instituted by Christ, or not ?

2. What is the outward sign and invisible grace that is conferred in the same ?

3. What promises be made that the said graces shall be renewed by this Sacrament ?

That the Sacrament of Confirmation was instituted by Christ, we are induced to think, forasmuch as the apostles

used the same, and that with much diligence; as appears, Acts the 8th and the 19th, and gave the same by tradition to the Church: and that the apostles durst not have taken upon them as of themselves to institute any Sacrament; and this is the opinion of St. Clement, in the fourth Epist. whose words are these: “Omnibus ergo festinandum est sine mora renasci Deo, et demum consignari ab episcopo, id est, septiformem gratiam Spiritus Sancti percipere; quia incertus est, uniuscujusque exitus vitæ, quum autem regeneratus fuerit per aquam, et postmodum septiformi Spiritus gratia, ab episcopo ut memoratum est confirmatus (quia aliter perfectus esse Christianus nequaquam poterit, nec sedem habere inter perfectos: si non necessitate sed incuria, aut voluntate remanserit; ut a beato Petro accepimus, et cæteri sancti Apostoli præcipiente Domino docuerint) demum ex operibus bonis ostendat in se similitudinem ejus, qui eum genuit Patris;”

By which words of St. Clement the first question is answered, *Ad 1. Quest.* that this Sacrament is instituted *præcipiente Domino*.

And by the same words appeareth answer to the second *Ad 2. Quest.* question, that the outward sign is *consignatio facta ab episcopo*: and that the graces conferred in the Sacrament be the graces called the seven gifts of the Holy Ghost.

And hereby may appear the answer to the third question, *Ad 3. Quest.* that for so much as the seven graces be given in this sacrament, that these graces proceed by his promise, by whose commandment the Sacrament is instituted.

Again, St. Dionys (whose book “De Ecclesiastica Hierarchia” is wholly grounded upon the traditions Apostolic, as he himself avoweth) makes mention of this Sacrament as had in use in the time of the apostles, after the rite of the Church that is used now with chrismation; wherefore, since the said apostles, as afore is said, durst not institute any Sacrament, we must needs think that the institution came from Christ, the declaration and tradition from the apostles. *Ad 1. Quest.*

And to the second question answer may be made, by the *Ad 2. Quest.* words of St. Dionys, which saith that this Sacrament is “Unctio perficiens et consummatio post regenerationem, et quod conjungit perfectum et consummatum Spiritui Sancto, et quod per hoc Sacramentum, datur Spiritus Sanctus.”

And so answer may be made to the third question as afore; *Ad 3. Quest.* that since the Holy Ghost is given by the conferring of this

Sacrament, that the promise of grace in this Sacrament comes from him by whose authority it is instituted.

Ad 1. Quest. St. Augustine also writing "*Contra Petilianum Donatistam*," saith, "*Quod Sacramentum chrismatis in genere visibilium Sacramentorum, est sacrosanctum sicut et baptisma;*" which cannot be true, unless the Sacrament of Confirmation be instituted of Christ.

Ad 1. Quest. Also St. Dionys, St. Clement, and St. Fabian, say, that the Sacrament of Confirmation is a Sacrament performing the Sacrament of Baptism; and St. Dionys saith, that he that is baptized is but initiated, that is, entered; and that by the chrismation of the bishop he is made perfect; and so also St. Clement, St. Melchiades, and St. Urban, say, that afore the receiving of this Sacrament, "*Baptizatus non est plene Christianus.*" By which thing it appears, that the Sacrament of Confirmation cannot be institute by man's authority, for no man can perform the work of God.

Ad 2. & 3. Quest. And needs must hereof follow, that the said Sacrament being instituted of Christ, the effect thereof must be grace, for he does nothing institute but to our ghostly wealth: and therefore he doth assist his Sacrament, as St. Cyprian saith, "*Hic omnibus Ecclesie Sacramentis interest, quæ ipse efficit et consummat:*" but forasmuch as St. Clement, St. Melchiades, and St. Urban, say, that "*Baptizatus non est perfecte nec plene Christianus, priusquam confirmatur ab Episcopo;*" lest any man should hereof conceive error, that if without contempt of this Sacrament any man already baptized and forthwith dying, should not be taken for a full and perfect Christian man, as to the effect of his salvation; the holy bishop of Rome, and martyr, Melchiades' words do well avoid, which be these. The Holy Ghost, which descended upon the waters of baptism, gave full innocency at the font; but in confirmation it gives increase to grace: and for because whilst we live in this world, we must pass amongst our invisible enemies in great danger, therefore in baptism we are regenerate to life; after baptism we are confirmed and strengthened to fight: in baptism we are cleansed, after baptism we are strengthened; and although to them that shall strait pass out of this world, the benefit of regeneration doth suffice; yet to them that shall live, the helping of confirmation is necessary; regeneration by itself saves, confirmation arms and strengthens

to fight, &c. And after this manner must the saying of the council of Orleans be understood, that he that is baptized shall never be a christened man, unless he be christened by the confirmation of the bishop ; and so, by the words of the said St. Melchiades, amongst other things does appear, that one special effect of the Sacrament of Confirmation, is ghostly strength to fight, which effect is also showed by divers other writers.

My Lord of Ely.

Whether this Sacrament be a Sacrament of the New Testament instituted by Christ, or no ?

As touching this Sacrament of Confirmation, as it is now used, there is no express mention made in the New Testament of the institution thereof by Christ ; but the holy and ancient fathers have taken it for a Sacrament of the New Testament, grounding themselves upon the Acts of the Apostles.

What is the outward sign and invisible graces which be conferred in the same ?

The outward sign is imposition of hands, or the anointing with chrism and the prayer, and it is not to be doubted, but the receivers of this Sacrament receive such graces as be necessary for them (according to the promise of Christ made unto the Church, and to the ministers of the same) even as it pleases him, “ Qui dividit singulis prout vult,” as saith St. Paul, what promises be made that the said graces shall be received by this Sacrament ?

55.

Respons. ut supra.

The imposition of hands, derived from the apostles' time, was not only given to men of years and discretion, first examined by the bishop before the congregation, of the articles of their faith, and promptness to profess the same against all persecutors, but also to infants and younglings, following the example of Christ, which put his holy hands upon the infants, prayed for, and blessed them.

As touching the ministers of this Sacrament, forasmuch as in the Acts of the Apostles it appears that the apostles *imponabant manus*, and not Philip, who baptized the Samaritans ; therefore I think that the bishops, which be called the successors of the apostles, be the convenient ministers ; for so the

use hath obtained from the beginning, saith Innocent, who was long before Gregory's time, who seems rather to permit that unto priest for the avoiding of slander, than that it should be their office indeed to confirm.

The bishops of Lincoln, Bangor, and Salisbury are much the same; only the two latters' answers to the third question are,

That they find no promise in Scripture for the benefits commonly held to be annexed to this Sacrament: "however, the doctors," say they, "affirm that in this Sacrament the graces abovementioned are received."

Doctor Wotton is likewise of the sentiment of the bishops first mentioned; Dr. Barber is of opinion that confirmation is not instituted in Scripture, but then he believes it an Apostolical tradition, and very beneficial to those who receive it. Dr. Marshall and Dr. Cliff, Dr. Downes and Dr. Marmaduke, are positive for its being instituted in the New Testament; but Dr. Edmonds is of the contrary opinion.

Dr. Robertson and Dr. Smith are of the same opinion with the doctors last named.

Dr. Buckmaster's opinion is as follows, Cleop. v. fol. 90.—

Materia hujus Sacramenti est et propinqua et remota: materia propinqua est unctio facta in fronte in figura crucis, cum chrismate sanctificato: Materia remota est chrisma compositum ex oleo olivæ et balsamo, sanctificatum specialiter ab episcopo; vel ab alio cui talis sanctificatio committi poterit; quippe omnia Sacramenta quæ requirunt ministrum determinatum et sacratum, requirunt etiam materiam sanctificatam, saltem in illo Sacramento ubi requiritur materia sensibilis: per oleum quod aliis liquoribus supereminet designatur charitas, per balsamum suaviter fragrans, odor bonæ famæ. . . . Forma hujus Sacramenti est talis. Consigno te signo crucis, et confirmo te chrismate salutis, in nomine Patris et Filii et Spiritus Sancti; signatur in parte determinata, nempe in fronte, in signum quod deponet omnem erubesceniam ad audacter confitendum Christum. . . .

And here it is to be noted, that before the death of our Saviour Christ there was no confirmation sacramental used; for, as St. John saith in his Gospel, "the Holy Ghost was not given, because Jesus was not yet glorified:" and in another place he saith, "It is expedient for you that I go

away : for if I go not away, the Comforter will not come to you ; but if I go away, I will send him unto you : ” and albeit that the apostles received the Holy Ghost before the day of Pentecost, yet did they then first receive him, in *signum Sacramenti Confirmationis*, that is to say, in token of the Sacrament of Confirmation ; what time the Holy Ghost appeared upon them in fiery tongues, which fiery tongues were a visible and sensible sign of the Holy Ghost then sent and given unto them, to confirm and establish them in Christ’s faith, &c.

And the reason why that Almighty God used this sign here in this Sacrament was this : First, he used this sensible sign of tongue, signifying by the same, that they should be liberal of their tongues to preach the faith of Christ : and again, the figure of a tongue appeared in fire, to signify unto them, that they should be hot and fervent in charity ; and that they should not preach or teach the faith of Christ for any lucre or worldly promotion : but only for the love unto Christ, and for the health of their neighbours. And thus did Christ confirm his apostles, giving unto them his manifold inward graces ; and also outward, as it was then expedient for that time, by such an outward and sensible form or sign ; that is to say, a fiery tongue, but after this, forasmuch as fire cannot be applied unto a man’s body without hurt ; therefore in his place was taken oil, which is a thing and a matter next unto burning, and draws most nigh unto the nature of fire ; having in it also a marvellous clearness, which is a quality appropriate unto the fire : furthermore, in the stead of a tongue, the Church uses balm, and that for this skill ; for as balm has a good and sweet savour, and preserves from corruption ; so by the manifold graces which be here conferred in this Sacrament, they that live and work according unto the same, have a sweet and good savour of a good name and fame before God, either by constant confessing and preaching of Christ’s faith, or else by the strong resisting and vanquishing of his enemies—the Devil, the flesh, and the world ; and so is also preserved from the corruption of sin : and as touching these two, that is to say, oil and balm, which we called before *materiam hujus Sacramenti*, with holy consecrations of the same, which may be called *mysterium Sacrum* ; no doubt, but that as the most ancient doctors write, the apostles of Christ, by Christ’s authority, did institute and ordain the same : or else, to speak

better, Christ did institute them by his apostles: although that in the beginning for a certain season, he might dispense with them, that they should not need to use such matter, but only prayers and imposition of their hands upon such as they did confirm; and although mention of these, and such other things, rites, and ceremonies, which our mother the Church useth, not only in the ministration of this Sacrament, but also in many of the other, is not had expressly in Scripture, yet be all such to be observed and fulfilled by the order of apostolical tradition; for, as St. Austin writes, ("De fide et operibus circa medium") these things be not mentioned in Scripture which were commonly done, and yet by some things there, they may be understood in the Word: wherefore St. Gregory saith, (lib. 7. Regist. Epist. 16.) that the order of ancient custom and the canons of the Church are an interpretation of all doubts which be not expressed in Scripture: wherefore albeit all things concerning and appertaining unto this Sacrament be not expressly had in Scripture, yet ought we reverently and obediently to accept and receive the same, forasmuch as the Church, that is to say, the whole multitude of Christian people, hath so allowed and received them hitherto.

56. The apostles laid their hands upon those who were baptized, and they received the Holy Ghost (Acts viii.), which thing they would never have attempted but only by revelation and precept of the Holy Ghost: and so that sure hope which they used in the ministering of this Sacrament, doth openly show and argue, that the Holy Ghost had promised unto them that he would be ready to give his grace unto them, which should be confirmed by them; upon whom for the same cause they should lay their hands; and so it appears that the Holy Ghost, which taught and also commanded the apostles to use this outward sign, did in like manner make a promise to the worthy receivers of the same.

The inward Graces (Rabanus).

In undam baptismi Spiritus Sanctus descendit ad habitationem Deo consecrandam; in confirmatione vero ejusdem septiformis gratia cum omni plenitudine sanctitatis et virtutis venit in hominem.

After this he cites the instance of the apostles St. Peter and St. John laying their hands upon those who were baptized in

Samaria ; and likewise that of St. Paul, with reference to those at Ephesus above mentioned.

L.

A Copy of the Letters Patent which were to be signed by King Henry VIII., for giving Authority to a Book entitled "Reformatio Legum Ecclesiasticarum."

Henricus Octavus, Dei gratia Angliæ et Franciæ Rex, Fidei Defensor, et Dominus Hiberniæ, ac in terris Anglicanæ sub Deo Caput supremum, omnibus archiepiscopis, episcopis, abbatibus, clericis, ducibus, marchionibus, comitibus, baronibus, militibus, generosis, ac aliis cujuscunque generis hominibus, subditis et ligiis nostris, per regnum nostrum, et dominia nostra ubilibet commorantibus, salutem et Evangelicæ veritatis incrementum. Cum vos optimi cives mei mihiq; charissimi, me nunc unum atque solum hujus regni principem ; in terrisque secundum Deum hujus Ecclesiæ Anglicanæ unicum supremumque caput, quemadmodum divini atque humani juris ratio postulat, potestatemque tam Ecclesiasticæ quam mundanæ politiæ mihi, majoribusque meis, ipso jure divino concessam, (verum multis sæculis unius Romani episcopi malitia, fraude, dolis, atque astutia ereptam) ad me et successores meos pertinere una voce, uno omnium sensu agnoscitis : non possum indies magis magisque muneris, atque officii mei rationem non habere, deque illustranda Dei gloria, de Christianæ pietatis vera doctrina propaganda, de imperii hujus incolumitate, et quiete tuenda, summa animi cura, atque cogitatione non esse sollicitus. Occurrunt enim subinde animo meo verba illa quæ Sapientiæ cap. vii. habentur ad hunc modum. Audite reges, et intelligite, " quoniam data est a Domino potestas vobis et virtus ab Altissimo, qui interrogabit opera vestra, ut scrutabitur cogitationes, ad vos ergo reges sunt hi sermones mei, ut discatis sapientiam, et ne excidatis. Qui enim custodiunt justitiam, juste judicabuntur, et qui didicerunt justa, invenient quid respondeant," &c. Hinc facile perspicui potest, exactissime a regibus potestatis suæ reddendam esse rationem, illosque gravissimos manere poenas, si non, ut oportuit, in republica administranda sese gesserint.

Quod si tanta cura, ac sollicitudine quibuscunque regibus opus est, quam anxios ac sollicitos Christianos reges esse de-

Londini ex
Officina Jo-
hannis Day.
An. 1571.

bere censendum est, quibus non politia modo civilis, sed ecclesiastica etiam potestas data est? Hos enim non tantum quæ ad humanam societatem pertinent, sed etiam quæ divinæ Christianæque religioni maxime consentanea sunt, curare necesse est; præsentem hujus sæculi fœlicitatem principes Christianos ita metiri convenit ut hac potestate sua ad Dei cultum dilatandum utantur, ut in hoc incumbant, ut recta doctrina propagetur, orneturque Dei gloria.

Cum igitur a Christianis regibus justitiam in imperio, pacis tuendæ curam, pietatem, studium juvandæ et ornandæ religionis Christianæ exigi animadverterem, nihil mihi potius esse debere judicabam, quam ut omnes inirem rationes, quo minus in hoc meo regno hæc a me desiderentur, et quoad possem, muneri imposito satisfacerem: hoc ut facilius expeditiusque præstare valeam, non ignoratis vos, quantam curam adhibuerim in illis rebus promovendis, tuendisque quæ huic negotio maxime conducere atque adjumento esse videbantur. Quæ contra impedire atque obesse visa sunt, quanto studio tollere, ac delere conatus sum, assidueque conor. Abunde enim vobis declaratum hactenus fuit, quam in hac nostra Britannia, multis vero sæculis, episcopi Romani vis injusta ac non ferenda, sacrosancto divino nomini inimica fuit, quantopere religioni Christianæ veræ doctrinæ propagandæ adversata est, quantum hujus reipublicæ pacem ac tranquillitatem sæpiissime interturbavit, potestatemque regiam divinitus constitutam labefaciendo, omnium obedientiam, a vero ac justo principis sui imperio, contra omne jus divinum et humanum ad se transferre ausus est. Hujus potestatem hic cum divino munere sublatam esse manifestum est, ne quid superesset, quo non plane fractam illius vim esse constaret, leges omnes, decreta atque instituta, quæ ab authore episcopo Romano profecta sunt, prorsus abroganda censuimus. Quorum loco, ut facilius in posterum Dei Optimi Maximi gloria illustretur, et vera philosophia Christiana, regnumque Christi vigere possit, et quo omnia decenter, et ordine in Christi hac Ecclesia gerantur: en vobis autoritate nostra editas leges damus, quas a vobis omnibus suscipi, coli, et observari volumus, et sub nostræ indignationis pœna mandamus, ut vestra in Deum pietas, amor erga patriam, principemque vestrum obedientia, non sine immensa divini nominis gloria omnibus conspicua sit, ac vosmetipsos non minus de vestris rationibus sollicitos ostendatis, quam ego

vestra causa de officio fuerim meo, stricte præcipientes, ut his nostris constitutionibus, vos omnes et singuli, tam in judiciis, quam in gymnasiis, utamini, severe prohibentes, ne quisquam vestrum alias præter has, et regni nostri leges admittere præsumat. Valete.

LI.

57.

Part of King Henry VIII.'s last Will and Testament relating to matters of Religion.

In the name of God, and of the glorious and blessed Virgin our Lady St. Mary, and of all the holy company of heaven, we, Henry, by the grace of God king of England, &c., most humbly and heartily do commend and bequeath our soul to Almighty God, who in the person of the Son redeemed the same with his most precious body and blood in time of his passion; and, for our better remembrance thereof, has left here with us in his Church militant the consecration and administration of his precious body and blood, to our no little consolation and comfort, if we as thankfully accept the same, as he lovingly and undeservedly on man's behalf hath ordained it for our only benefit, and not his.

Fuller's
Ch. Hist.
book 5.
p. 24

Also we do instantly require and desire the blessed Virgin Mary his mother, with all the holy company of heaven, continually to pray for us whilst we live in this world, and in the time of passing out of the same, that we may the sooner attain everlasting life after our departure out of this transitory life, which we do both hope and claim by Christ's passion.

We also will and specially desire and require, that where and whensoever it shall please God to call us out of this transitory world to his infinite mercy and grace,—be it beyond the sea, or in any other place without our realm of England, or within the same,—that our executors, as soon as they conveniently may, shall cause all divine service accustomed for dead folks to be celebrated for us, in the next and most proper place where it shall fortune us to depart out of this transitory life; and ever that we will that whensoever and wheresoever it shall please God to call us out of this transitory life to his infinite mercy and grace, be it within the realm or without, that our executors, in as goodly, brief, and convenient haste as they reasonably can or may, order, prepare, and cause our

body to be removed, conveyed, and brought into the said college of Windsor, and the service of "Placebo et Dirige," with a sermon and mass on the morrow, at our costs and charges, devoutly to be done, observed, and solemnly kept, there to be buried and interred in the place appointed for our said tomb, to be made for the same intent, and all this to be done in as devout wise as can or may be; and we will and charge our executors, that they dispose and give alms to the most poor and needy people that may be found, common beggars as much as may be avoided, in as short space as possibly they may after our departure out of this transitory life, one thousand marks of lawful money of England, part in the same place and thereabout where it shall please Almighty God to call us to his mercy, partly by the way, and part in the same place of our burial, after their discretions; and to move the poor people that shall have our alms to pray heartily unto God for the remission of our offences and the wealth of our soul.

And we will, that with as convenient speed as may be done after our departure out of this world, if it be not done in our life, that the dean and canons of our free chapel of St. George, within our castle of Windsor, shall have manors, lands, tenements, and spiritual promotion to the yearly value of viiC pounds over all charges made sure to them and to their successors for ever upon these conditions hereafter ensuing, and for the due accomplishment and full performance of all other things contained with the same in the form of an indenture, signed with our own hand, which shall be passed by way of covenant for that purpose between the said dean and canons, and our executors, (if it pass not between us and the said dean and canons in our life,)—that is to say, the said dean and canons and their successors for ever,—shall find two priests to say masses at the said altar, to be made where we have before appointed our tomb to be made and stand.

And also after our decease keep yearly four solemn obits for us within the said college of Windsor, and at every of the same obits to cause a solemn sermon to be made, and also at every of the said obits to give to poor people in alms ten pounds, and also to give for ever yearly to thirteen poor men, which shall be called poor knights, to every of them twelve pence a-day, and once in the year yearly for ever a long gown of white

cloth, with the garter upon the breast, embroidered with a shield and cross of St. George within the garter, and a mantle of red cloth, and to such one of the thirteen poor knights as shall be appointed to be head and governor over them, 3*l.* 6*s.* 8*d.* yearly for ever, over and beside the twelve pence by the day. And also to cause, every Sunday in the year for ever, a sermon to be made at Windsor aforesaid, as in the said indenture and covenant shall be more fully and particularly expressed, willing, charging, and requiring our son prince Edward, all our executors and counsellors which shall be named hereafter, and all other our heirs and successors which shall be kings of this realm, as they will answer before God Almighty at the dreadful day of judgment, that they and every of them do see that the said indenture and assurance, to be made between us and the said dean and canons, or between them and our executors, and all things therein contained, may be duly put in execution, and observed and kept for ever perpetually, according to this our last will and testament.

LII.

The Order for the Coronation of King Edward, Sunday, February 13, at the Tower, &c.

This day the lord-protector, and others his executors, whose names be hereunto ascribed, upon mature and deep deliberation had among them, did finally resolve, that forasmuch as divers of the old observances and ceremonies aforesaid used at the coronations of the kings of this realm were by them thought meet for sundry respects to be corrected,—and namely, for the tedious length of the same, which should weary and be hurtful peradventure to the king's majesty, being yet of tender age, fully to endure and bide out, and also for that many points of the same were such as by the laws of the realm at this present were not allowable,—the king's majesty's coronation should be done and celebrated upon Shrove Sunday next ensuing, in the cathedral-church of Westminster, after the form and order ensuing.

Council
Book.
Bp. Burnet,
part 2.
Records,
p. 93.

First, the archbishop of Canterbury shall show the king to the people at four parts of the great pulpit or stage to be made for the king, and shall say on this wise: "Sirs, here I present king Edward, rightful and undoubted inheritor, by the laws of

God and man, to the royal dignity and crown imperial of this realm, whose consecration, inunction, and coronation is appointed by all the nobles and peers of this land to be this day. Will ye serve at this time, and give your good wills and assents to the same consecration, inunction, and coronation, as by your duty of allegiance ye are bound to do?"

The people to answer, "Yea, yea, yea: king Edward, king Edward, king Edward."

This done, the archbishop of Canterbury, being revested as he should go to mass, with the bishops of London and Winchester on both sides, with other bishops, and the dean of Westminster, in the bishop's absence, to go in order before the king; the king shall be brought from his seat by them that assisted him to the church to the high altar, where, after his prayer made to God for his grace, he shall offer a pall and a pound of gold, twenty-four pounds in coin, which shall be to him delivered by the lord great chamberlain. Then shall the king fall grovelling before the altar, and over him the archbishop shall say this collect, "*Deum humilium*," &c. Then the king shall rise and go to his chair, to be prepared before the altar, his face to the altar, and, standing, one shall hold him a book; and the archbishop, standing before the king, shall ask him, with a loud and distinct voice, in manner and form following:—

"Will ye grant to the people of England, and others your realms and dominions, the laws and liberties of this realm, and others your realms and dominions?"

"I grant and promit."

"You shall keep, to your strength and power, to the Church of God, and to all the people, holy peace and concord."

"I shall keep."

"You shall make to be done, after your strength and power, equal and rightful justice in all your dooms and judgments, with mercy and truth."

"I shall do."

"Do you grant to make no laws but such as shall be to the honour and glory of God, and to the good of the commonwealth, and that the same shall be made by the consent of your people, as hath been accustomed?"

"I grant and promit."

Then shall the king rise out of his chair, and by them that before assisted him be led to the high altar, where he shall make a solemn oath upon the sacrament laid upon the said altar, in the sight of all the people, to observe the premises, and, laying his hand again on the book, shall say,—

“The things which I have before promised I shall observe and keep: so God help me, and those holy evangelists by me bodily touched upon this holy altar.”

That done, the king shall fall again grovelling before the high altar; and the said archbishop, kneeling before him, shall, with a loud voice, begin “*Veni Creator Spiritus*,” &c.

Which done, the said archbishop, standing, shall say over the king, “*Te invocamus*,” and at the end shall kneel again; and then shall the king rise and be set in the chair again; and after a little pause he shall rise, and, assisted with those that did before that office, go again to the high altar, where he shall be unclothed by his great chamberlain unto his coat of crimson satin, which, and also his shirt, shall be opened before and behind on the shoulders and the bowght of the arms by the said great chamberlain, to the intent that on those places he be anointed; and, whiles he is in the anointing, sir Anthony Denny and sir William Herbert must hold a pall over him. And, first, the said archbishop shall anoint the king, kneeling, in the palms of his hands, saying these words, “*Ungas manus*,” with this collect, “*Respice Omnipotens Deus*;” after, he shall anoint him in the breast, in the midst of his back, on his two bowghts of his arms, and on his head, making a cross; and, after making another cross on his head with holy chrism, saying, as he anointeth the places aforesaid, “*Ungatur caput, ungantur scapulæ*,” &c.; during which time of unction the choir shall continually sing “*Ungebant regem*,” and the psalm “*Domine in virtute tua lætabitur rex*;” and it is to be remembered, that the bishop or dean of Westminster, after the king’s inunction, shall dry all the places of his body, where he was anointed, with cotton or some linen cloth, which is to be burnt; and, furthermore, the places opened for the same are to be clothed by the lord great chamberlain; and on the king’s hand shall be put, by the said archbishop of Canterbury, a pair of linen gloves, which the lord great chamberlain shall before see prepared.

This done, the king shall rise, and the archbishop of Canterbury shall put on the king a tabert of Tanterton-white, shaped in manner of a dalmatic; and he shall put on the king's head a coif, the same to be brought by the great chamberlain; then the king shall take the sword he was girt withal, and offer it himself to God, laying it on the altar, in token that his strength and power should first come from God; and the same sword he shall take again from the altar, and deliver to some great earl, to be redeemed of the bishop or dean of Westminster for 100s., which sword shall be borne naked afterwards before the king.

Then the king, being set in his chair before the altar, shall be crowned with St. Edward's crown; and there shall be brought by the bishop or dean of Westminster royal sandals and spurs, to be presently put on by the lord great chamberlain; and the spurs again immediately taken off, that they do not encumber him.

Then the archbishop, with all the peers and nobles, shall convey the king, sustained as before, again into the pulpit, setting him in his siege royal; and then shall the archbishop begin "*Te Deum laudamus*," which done, the archbishop shall say unto the king, "*Sta et retine amodo locum*;" and the king being thus set, all the peers of the realm and bishops, holding up their hands, shall make unto him homage as followeth: first, the lord protector alone, then the archbishop of Canterbury, and the lord-chancellor, so two and two as they be placed.

"I, N. become your liege man, of life and limb, and of earthly worship; and faith, and truth, I shall bear unto you, against all manner of folks, as I am bound by my allegiance and by the laws and statutes of this realm: so help us God and Allhallows."

And then every one shall kiss the king's left cheek, which done, all they, holding up their hands together in token of their fidelity, shall with one voice on their knees say, "We offer to sustain and defend you and your crown, with our lives, and lands, and goods, against all the world." And then with one voice to cry, "God save king Edward!" which the people

shall cry accordingly. Then shall the king be led to his travers to hear the high mass, and so depart home crowned in order, as he set forth accordingly.

59.

E. Hertford.	Cuth. Duresme.
T. Cantuarien.	Anthony Brown.
Tho. Wriothesley, Cancell.	W. Paget.
W. St. John.	Anthony Denny.
J. Russel.	W. Herbert.
John Lisle.	

LIII.

An Inhibition directed to the Bishop of London by the King's Commissaries for a General and Regal Visitation, together with a Citation for the said Bishop to appear before the Visitors.

Antonius Cook Miles, Johannes Godsalue Miles, Johannes Gosnald Armiger, Christopherus Nevison, LL.D., et Johannes Maydew S. T. Professor, illustrissimi in Christo principis et domini nostri domini Edvardi Sexti, Dei gratia, Angliæ, Franciæ, et Hiberniæ regis, Fidei Defensoris, et in terris Ecclesiæ Anglicanæ et Hyberniciæ supremi capitis, commissarii generales, necnon ad visitandum universas et singulas civitates et dioceses Westmonasteriensem, Londinensem, Norwicensem, et Elyensem, clerumque et populum eorundem, dicti domini regis nostri legitime autoritate suprema fulciti, reverendo in Christo patri domino Edmundo Londoniensi episcopo, salutem.

Regist.
Bonner,
fol. 109.
August 20,
A.D. 1547.

Cum dictus illustrissimus princeps per literas suas commissionales suprema autoritate sua regia nobis inter alia auctoritatem commiserit; quatenus vos Ecclesiamque vestram cathedralam divi Pauli Londinens. necnon clerum et populum universæ vestræ London. diocesis, tam in locis exemptis quam non exemptis commorantes, visitemus. Cæteraque omnia et singula quæ ad visitationem suam generalem pertinent peragamus et expediamus. Nos igitur ejus serenissimæ majestatis jussibus mature fideliter, citoque parere, obedire, eademque cum omni diligentia perimplere studentes, ac vos et ecclesiam vestram cathedralam prædictam, necnon decanum et capitulum ejusdem, clerumque et populum dictæ vestræ London. diocesis universum adjuvante Domino propediem visitare, et defectus

inibi repertos correctione et reformatione necessaria indigentes, corrigere, pristinoque statui pro viribus restituere et restaurare autoritate proponentes. Dictæ paternitati vestræ tenore præsentium inhihemus; et per vos decanis, archidiaconis, cancellariis, commissariis, officialibus, cæterisque omnibus et singulis quocunque et quibuscunque nomine aut nominibus censeantur, infra aut per universam diocesim vestram jurisdictionem aliquam ecclesiasticam exercentibus, quorum interest aut intererit in hac parte inhiheri volumus et mandamus, ne a tempore receptionis præsentium jurisdictionem aliquam alicubi infra diocesim vestram in locis exemptis vel non exemptis exerceatis, illorumve aliquis exerceat, quicquamve aliud in præjudicium sive dispendium hujus visitationis regię quovis modo attemptetis, illorumve aliquis attemptet, aut ab aliis attemptari faciatis aut permittatis, illive faciant aut permittant. Vosque præfatum reverendum patrem Edmundum London. episcopum tenore præsentium peremptorie citamus, decanumque et capitulum, cæterosque ecclesię vestrę cathedralis prædictę ministros, canonicos, præbendarios, cantaristas, stipendiarios, et officarios quoscunque per vos citari peremptorie volumus et mandamus, quatenus peremptorie coram nobis ipsi compareatis, compareantque illi et eorum quilibet in domo capitulari ecclesię cathedralis prædictę quinto die mensis Septembris inter horas octavam et decimam ante meridiem extunc proxime futuri, cum continuatione et prorogatione dierum extunc sequentium, dictę serenissimę majestatis regię visitationem tunc et ibidem suprema autoritate regia exercendam debite et in omnibus subituri; fundationes, dotationes, chartas, idotamenta, concessiones, compotus, statuta, ordinationes, registra, cæteraque id genus omnia et singula, vos, illosque ac dicti episcopatus ecclesięque vestrę statum concernentia; scripta insuper alia ac munimenta—quæcunque licentias, installationes, collationes, institutiones, uniones, ordinum literas, dispensationes, pluralitates, concessiones omnes et omnimodas vobis aut vestrę ecclesię factas et concessas, nobis tunc et ibidem ostensuri et exhibituri; ulteriusque facturi et recepturi, quod hujusmodi visitationis regię qualitas, natura et justitia postulant, exigunt requiruntque, sub pœna contemptus in ea parte vobis illisque infligend. Mandamus insuper autoritate regia prædicta et firmiter injungendo præcipimus tam vobis dicto reverendo patri Edmundo London. episcopo quam cæteris

omnibus et singulis decanis, archidiaconis, et officiariis quibuscunque jurisdictionem aliquam ecclesiasticam infra diocesim vestram in locis exemptis et non exemptis exercentibus, quatenus citetis aut citari faciatis peremptorie omnes et singulos collegiorum custodes, guardianos, proprietarios, præpositos, ludimagistros, rectores, vicarios, cantaristas, canonicos, stipendiarios, curatos et non curatos, ac clericos quoscunque tam exemptos quam non exemptos, infra diocesim vestram dictam celebrantes, et qualiacunque beneficia, dignitates, promotiones, servitia, pensiones, sive portiones ecclesiasticas quomodolibet obtinentes. Necnon de singulis parochiis tam exemptis quam non exemptis octo, sex, vel quatuor viros laicos fide inter cæteros dignissimos, pro modulo cujuslibet parochiæ hujusmodi super inquirend' ab iisdem meliorem notitiam habentes, quatenus compareant et eorum quilibet compareat coram nobis diebus, locis, et temporibus, in schedula præsentibus annexa, contentis, juramentum fidelitatis et obedientiæ erga ipsum dominum nostrum regem, hæredes et successores suos gerendæ, deque renuenda, renuncianda, rejicienda, abjuranda, penitusque abneganda episcopi Romani crudeli prætensa, usurpata, diabolica, et ficta in regnum suum Angliæ, ejusdemque dominia auctoritate et jurisdictione. Et quæcunque alia licita Sacramenta in ea parte præstari requisita juxta statutorum hujus regni Angliæ in hac parte nuper in parlamento anno præcharissimi patris sui Henrici Octavi vicesimo octavo tento editorum vim, tenorem, et effectum ad sancta Dei Evangelia præstituri, et subituri per seipsos, nisi gravi, arduo et legitimo impedimento coram nobis commissariis antedictis, diebus et locis prædictis allegand' et proband', alioquin per procuratores suos legitime constitutos mandatum sufficiens ad præmissa habentes, titulos, dignitatem ac beneficiorum suorum ac fundationes et ordinationes cantariarum, collegiorum, hospitalium, liberarum, capellarum, ac promotionum suarum ecclesiasticarum quarumcunque, necnon literas ordinum, dispensationes, gratias, licentias, exemptiones, in capellanos magnatum admissiones, pluralitates, et privilegia (si quæ habeant) respective exhibituri. Procuracionesque ratione dictæ visitationis suæ majestati debitas soluturi. Dictique parochiani veritatem quam noverint, superinquirendis ab eisdem visitationem regiam hujusmodi concernent: dicturi. Necnon ea quæ ex parte dicti domini regis tunc et ibidem illis

proponentur audituri, ulteriusque facturi et recepturi quod hujusmodi visitationis regie qualitas, natura, et officium de se exigunt et requirunt. Necnon executores testamentorum sive aliorum quorumcunque ab intestat' sive per viam intestat' decedentium, infra dictam diocesis vestram tam in locis exemptis quam non exemptis, quod diebus et locis prædictis coram nobis compareant, et eorum quilibet compareat personaliter testamenta ipsorum defunctorum, si quæ condiderint exhibitori et probaturi, illaque per nos approbari et insinuari, petitori et audituri; ac onus executionis in se suscepturi vel refutaturi. De diebus vero receptionis præsentium, executionisve vestræ, ac modo et forma ejusdem, deque omnium et singulorum qui per vos citati et evocati fuerint nominibus et cognominibus dignitatumque suarum ecclesiasticarum titulis nos in quadam schedula literis vestris certificatoriis pro quolibet decanatu infra diocesis et archidiaconatum vestrum per vos faciendis et præsentibus annexandis, singulis diebus et locis quibus decanatus prædicti autoritate nostra prædicta visitati fuerint, ut in dicta schedula exprimitur, una cum vero et perfecto libro, registro, sive rotulo omnium et singularum procurationum de qualibet ecclesia infra dictam diocesis vestram exeuntium et debitarum distincte, clare, certe, et absque aliqua ambiguitate certificetis seu certificari faciatis per literas vestras patentes harum seriem continentes ante sigillatas.

In cujus rei testimonium sigillum quo in hac parte utimur præsentibus apponi fecimus.

Dat. London. vicesimo die mensis Augusti anno Domini 1547.

JOHANNES GODSALVE.

CHRISTOPHERUS NEVINSON.

LIV.

The Bedes, or the antient Form of Bidding Prayer.

Harmer,
p. 166.

Ye shulle stonde up and bydde your bedys in the worshaþe of oure Lord Jhesu Crist, and his moder Seynte Marye, and of all the holy companye of hevenne. Ye shulle also bydde for the stat of holy Cherche, for the pope of Rome and of his cardinalis, for the patriarch of Jerusalem, for the Holy Lond, and for the holy croys, that Jhesu Crist sendt it out of Hedne

mennys hond, into Cristin mennys honde. And ye shulle bydde for the erchebischop of Canterburie, for the biscop of Worcestrie our gostlie fader, and all odir biscopis, ye shall bydde for abbotes, for priouris, for monkis, for chaneunis, for frieris, for aneris, for heremytis, and for alle the religiouns. Ye shall bydde for alle the prestis, and cleerkis that heerine seurit and haugty servit. Ye shall bidde for the pees of the londe, that Jhesu Christ hold it that it is, and sendyt that it nys. Ye shall bidde for the king of England, for the queene and for alle her childryne; for prince, for dukis, for yerles, for barounis, and for the knytis of this lond, and for alle her good counsaile, and her trewe servauntis. Ye shulle bidde for hem, that the stat of holy Church, and of this lond be well meinteined. Ye shall bidde for the wederynge, and for the cornis, and for the frutys, that beet ikast on herde and on erthe growyng, and for alle the trewe erth tyliaris, that God sende swic wedering fro hevене to erthe, that it be hym to convenyng and mankend to helpe of lif and savicion of howre sawls. Ye shall bydde for the persown of this Church and for all his parischons that ben heere other elles war, in londe, othere in watre; that our Lord Jhesu Crist ham shilde and warde from alle mysowneris, and grauntte hem part of alle the bedys and good deedis that ben deed in holy Church. Ye shall bidde for hem, that in gwoode way beet iwent, odir wendyt, odir thenkit, to wen the heere sennys to bote; that oure Lord Jhesu Crist wold warde and shilde from alle mysauntrys, and gronte han so goon and comen that it be him to worshipec, and ham in remissioun of heere sennys, for ham and for oos and alle Christine folke. "Pater noster, Deus misereatur nostri, Kyrie eleison," &c. Also ye shulle bidde for the gwoode man and the gwoode wyf, that the charitie hider brocke to day, and for ham that it first voondryn and longest holden. Ye shall bidde for ham, that this Church honoure with booke, with belle, with vestiment, with twaile, odir with light, odir with eny odir ournement to roof odir to ground, with londe, odir with rente. Ye shall bid for all thilke that bet in good lyve, that God the reinne ham hold longe, and for thilke that bet in evele lyve, other in dedlick sinne y bounde, that oure Lord Jhesu Crist ham out brenge, and given ham forgevenesse of har sennes. Ye shall bid for thilke that to God and to holi Chirche trewliche tethegeuren, that God tham wite and

warde from all misaintre ; and for all thilke that evyl tethegeuren that God ham geve grace of amendment, that him ne falle naght in the grete sentence. Ye shall bydde for alle the seeke of this parische, that oure Lorde hem gyve sive heele and helpe of bodi and of sowle for ham, and for us, and for alle Cristen men and wymmen for charite, "Pater noster," &c. Ye shulle knelen adoun, and bydde for fader's sawle, for moder's sawle, for godfader's sawle, for godmoder's sawle, for godchildren's sawles, and for all the sawles of oure bredryn and soosters' sawles, and for all the sawles, that we bet in dette for to bid therefore, and for alle the sawlys that beet in purgatoree: that God ham brenge the radyr out of har peynys thorg the byseching of our bone. Ye shulle bidde for alle the sawlys hwos bonys restyn in this place; for all sawles hwos mendeday beet yholde in this Churche othere ein other by the yere. "De Profundis, Kyrie eleison, Paternoster, &c. Amen."

61.

LV.

A Form of Procuratorial Powers, which those who represented the Convents, or inferior Clergy, were furnished with to sit in Parliament.

A.D. 1295.
Dr. Atter-
bury's
Rights,
Powers, &c.
of an English
Convoca-
tion. Ap-
pendix,
num. 11.

Omnibus Christi fidelibus ad quos præsentēs litteræ perve-
nerint, H. permissione divina Prior et Capitulum Ecclesiæ
Christi Cant. sal. in Domino sempiternam. Noverit universi-
tas vestra quod nos facimus, constituimus, et ordinamus di-
lectos nobis in Christo fratres G. de Chyleham et R. de Clyve
commonachos nostros veros et legitimos procuratores nostros
conjunctim et divisim, dantes eisdem et eorum alteri potesta-
tem tractandi, ordinandi, et faciendi cum prælatis et proceri-
bus et aliis regni Angliæ incolis, instanti parlamento domini
E. regis Angliæ illustris, die dominica proxime post festum
Sti Andree Apostoli proxime futurum apud Westm. qualiter
sit dicti domini regis et regni sui ac etiam totius communita-
tis ejusdem, periculis et maliciis excogitatis, quatenus est lici-
tum, salubrius obviandum. Ratum habituri quicquid per præ-
dictos procuratores nostros, seu alterum ipsorum tractatum,
ordinatum seu factum fuerit in præmissis. Dat. in Capitulo x.
Cal. Dec.

Registr. Henr. Prior, F. 67.

LVI.

Answer to certain Arguments raised from supposed Antiquity, and practised by some Members of the Lower House of Parliament, to prove that Ecclesiastical Laws ought to be enacted by Temporal Men, R. B. C.

What beside self regard or sydeing faction hath been the Paper-office. main reason of the lower lay house laboure in parliament to deal in the laws of the Church? The milder members have yielded a right which they would maintain by former president, rayseing the same from

- | | | |
|-----------------------------|---|----------------------------------|
| 1. Primitive use | $\left\{ \begin{array}{l} \text{professing the} \\ \text{same warrant} \\ \text{by the laws of} \\ \text{the} \end{array} \right\}$ | 1. Roman empire. |
| 2. Middle practice | | 2. Saxon kings. |
| 3. Interrupted continuance. | | 3. English parliaments so to do. |

Reasons out of precedents. Imperial constitutions. Saxon laws. Acts in parliament.

Which since it may rayse a prejudice to the Churches' peace, or to sovereigns' power unopposed, I will make way in a word or two to the better answer of some other pen. What they say is not to be denied, that in the course of civil laws under the Christian emperors there be often constitutions ecclesiastical, and in the councils of the Church (frequent) the sovereign's power, and sometimes the presence of lay ministers, yet may their assertion admit to the first, this answeare of Justinian.

"Principes sapientum episcoporum monita pro fide et religionis Christianae leges synodicalibus canonibus conformes edidere recte, indicantes sacerdotum sanctiones merito majestatis regiae nutu roborari;" so that these decrees of the civil laws, will prove but confirmatives of former canons, as may be gathered by that of Valentinian and Martian, emperors, who wrote to Palladius, their *praefectus praetorio*, that all constitutions that were against the canons of the Church should stand void. And to the second, that their presence was to dignifie not to dispute; the direction proveth that the emperor Theodosius gave to Candidianus (an earl, by him to the Ephesian council sent) "non ut questiones seu expositiones communicaret, cum sit illicitum eum qui non sit in ordine sanctorum episcoporum ecclesiasticis tractatibus intermisceri." And Valentinian the elder, though he was petitioned by the

Justinian.

Tripartita Historia.

Distin. 19. cap.

Nicephorus.
Concil.
Carthag.
Concil.
African.

bishops to be present at their synode, said, "Sibi, qui unus e laicorum numero esset, non licere hujusmodi negotiis se interponere:" and by the council of Carthage and African likewise it appeared that even princes would intermeddle with these matters.

Zozimus.
Ambrose,
lib. 5.
epist. 32.
Ruffin.
Eccles. Hist.

But then it was, "sæpius rogati ab episcopis;" and the emperor Gratian taught, as Zozimus saith, "laicos nihil potestatis in res ecclesiasticas posse sibi vindicare;" and the former emperor enacted, "in causa ecclesiastici alicujus ordinis, eum judicare, debere qui nec munere impar est, nec in jure dissimilis: sacerdotes de sacerdotibus judicare," according to that saying of Constantine the Great, "Vos enim adeo, nobis dati estis dii, et conveniens non est ut homo judicet deos."

Thus then stood the practice of the primitive truth, which when it was in those times otherwise, as under Constantius the Arian.

Athana.
Epist. 1.
ad solit.
vitam agent.

Athanasius saith of him, "heresis veneno imbutos, milites sicarios, eunuchos, comites faciebat sacerdotum judices, et cogebat umbratiles synodos, quibus ipse cum nostris illis præsideret;" whereas otherwise that empire, even in the height of the Pagan greatness, ascribed to their pontiffs, and "sacerdotes propter religionem comitia habere propria," and that "stabili sententia ratum erat quod tres pontifices communi decreto statuissent." To the second, as it is in the former

Halicarn.
Dionysius.

2d Object.
Ecclesiasti-
cal law
enacted in
parliament.
Saxon Law.
Leges Inæ.

time, that many canons of the Church are enterlaced with the commonwealths; all through the Saxon laws, and that the establishment should be by parliament, which they infer out of the *Frontispicium* of Ina's Statutes in these words, "Ego Ina Rex et ex tractatione episcoporum et omnium aldermanorum meorum, et seniorum sapientum regni mei, et confirmatione populi mei," do ordain, &c. may receive this answer; first, that the commons did but confer, and not dispute, which to this day is in their summons only comprised, *ad consentiendum*; but whosoever shall collate the transcript copy with the original called "Textus Roffensis," will find the ordinances not called *leges*, but *synodalia*, and almost all by the king and Churchmen only made; neither was it new in this isle, that priests directed alone the government, when, as the best record of our eldest memory saith, that the Druides (a religious Pagan order,) not only "divinis intersunt, religiones in-

Textus Rof.

terpretantur," but "de omnibus (as Caesar saith) controversiis publicis, privatisque constituunt, sive hæreditamento, sive de finibus, et præmia et pœnas constituunt." And if any "sive privatus, aut populus decreto eorum non steterit, sacrificiis interdicunt;" and this censure amongst them was *pœna gravissima*. Neither did the times of Christianity here bereave the Church of all such power, will appear, for in the Saxon time they intermeddled in the framing of the temporal laws, and ought, as appears by an ordinance of that time, "de officiis episcopi, cum seculi iudiciis interesse, ne permittent ut illinc aliqua pravitatum germina pullulaverint." And surely since those times the inferior ministers of the Church, as well as bishops, until of late had suffrage in parliament, so John de Rupicissa (a story as old as king John's time) says, anno 1210,

Caesar,
Pliny.

Leges
Saxon.
Regum.

62.

"convocatum est parliamentum Londoniæ archiepiscoporum tum clero, et tota secta laicali." And in the 18th of Ed. III. the members of parliament being defective in their appearance, the king charged the archbishop to punish the defaults of the clergy, and he would the like touching the lords and commons; and in 3 Rich. II. against a petition in parliament concerning provisions, the prelates and whole clergy make their protestations; and to a demand of the lay commons for the king's aid the year succeeding, the "whole clergy answered, that they used not to grant any thing but of their free will." And in the 11th year of the same king, the archbishop of Canterbury made openly in parliament a solemn protestation for himself, and the whole clergy of all his province; the effect thereof was, "that albeit they might lawfully be present in all parliaments, yet for that this parliament matters of treason were to be entreated of; whereas by the canon law they ought not to be present, they therefore absented themselves, saving their liberties therein:" and in the twenty-first year of that reign, for that divers judgments were heretofore undone; for that the clergy were not present, the commons prayed the king to appoint some to be their common proctor, with sufficient authority thereunto: the bishops and clergy therefore being severally examined, appointed sir Thomas Percie their proctor, to assent, as by their instrument appears. And the same year, upon the demise of sir Thomas Burry, most of the bishops and lords were sworn before the king again, upon the cross of Canterbury, to repeal nothing in this year enacted;

Eulogium.

All the clergy
members of
parliament
proved by
record,

18 Edw. 3.
Rot. Parl.
3 Rich. 2.
Rot. Parl.
4 Rich. 2.
Rot. Parl.
11 Rich. 2.

21 Rich. 2.
n. 9, 10.

21 Rich. 2.
n. 31.

so did sundry of the proctors of the clergy, and most of the commons, by holding up one of their hands, affirming that they the same would do.

21 Rich. 2.
n. 58.

In the judgment against the duke of Norfolk and earl of Warwick, the same year, the name and assent of the procurator of the clergy is alleged; and in the first of Hen. IV. the bishop of Asaph for the archbishops and bishops, the abbot of Glasenbury for all religious persons, the earl of Gloucester for dukes and earls, the lord of Barkley for barons and banneretts; sir Thomas Irpingham, chamberlain, for bachelors and commons of the south; sir Thomas Gray for bachelors and commons of the north, sir William Thurning and John Meckham, justices for the whole estates, came to the Tower to king Richard, to whom sir William Thurning, for and in the name of them all, pronounced the sentence of deposition, and the words of resignation of homage and loyalty.

Rot. Parl.
31 Hen. 6.
n. 27.

And when it was enacted, anno 31 Hen. VI. by the king, lords temporal and commons, that no man should contract or marry himself to any queen of England, without the especial licence and consent of the king, in pain to lose all his goods, and his lands; the bishops and all the clergy to this bill assented, so far as it was not against the law of God. And thus far for answer to the second part.

Third reason, Ecclesiastical laws enacted in part.

Malmesbury.
Liber Ecclesie Cantuar.

Vita Hen. 2.

The last, which they ground from precedents of parliaments since the conquest, they infer out of the phrase and out of the practice of the first, by these words, "Rex Wintoniæ celebravit magnum concilium coram episcopis, comitibus et baronibus," mistaking the words as intending a provincial synod; whereas *magnum concilium*, in those days, was equivalent to a parliament, and used for that purpose; the word parliament not occurring in the modern sense, till the time of Henry II. and then but rarely. That great assembly being formerly styled, as I observed, *magnum concilium*, and till of late were often mentioned by the same name: this is evident from Benedictus Abbas, in the Life of Henry II. "Circa festum Sancti Pauli venit dominus rex usque Northampton, et magnum ibi celebravit consilium de statutis regni sui coram episcopis, comitibus et baronibus terræ suæ; et per consilium militum, et hominum suorum." Here the intent manifested the nature of that assembly, and the fuller, in that the same

author in the same year saith, that “Richardus Cantuariensis archiepiscopus et Rogerus Eboracensis, cum suffraganeis suis congregatis apud Westmonasterium, in capella monachorum infirmorum tenuerunt concilium.” Now this convocation had been needless, if in the first they might have done the Church affairs.

Here might I enter into a large and just discourse, as well of the authority and antiquity of their convocation, or synod *Provincial Constitutions.* provincial, no less ancient, as Bede mentions, in the year 596, when Austin assembled in the council the Britain bishops; from whence, unto this day, there is successive record of councils, or convocation, less interrupted than of parliaments.

Now touching our practice to ordain in parliament, laws *Practice.* ecclesiastical, either mere or mixed, although it be by records evident, yet must it admit this difference; first, that it sprung not from our dispute or desire, but solely from the petitions of the Church, as is usually seen in all their rolls of parliament, receiving their distinct title from those of the common: and this they did to add *Seculare Brachium* to their former canons, too weak to reach to corporal punishments. As in the first of Richard II., when, to suppress the schisms, the clergy became in parliament petitioners to the king and laity, where, by the tenor of the record, it appears the commons were not to have any share in the consultations. The words are these, “Habita prius bona et matura deliberatione de communi consilio ipsius archiepiscopi, suffraganeorum suorum, aliorumque clericorum super quo idem archiepiscopus supplicavit, ut pro debita castigatione illorum, qui conclusiones schismaticas prædicare voluerint, animo obstinato, dignaremur apponere brachium regie potestatis.” And this aid was in use in the Conqueror’s time, *Chartæ Antiquæ, B. B.* who by edict commanded that every marshal, or sheriff, “episcopo et Deo faceret rectum, secundum canones et episcopales leges:” so that if after excommunication satisfaction was not made to the Church, “fortitudo et justitia regis adhibeatur:” and this even in the primitive Church was thought convenient. To this purpose St. Ambrose applied to the emperor Valentinian. For “non tantas (says this father) vires sermo meus *Ambrose.* habiturus est pro Trinitate bellum gerens, quantum edictum tuum.” Hence it was that, at this day, the king’s authority is annexed to the convocation, conformably to the practice of

*Writ of
Summons,
Rot. Claus.
22. R. 2.
m. 7.*

the ancient Church, where the canons were fortified with the royal authority. But that the Church laws first ever moved from the lay members, I take it as far from precedent as it is besides the nature of their commission; the bishops and clergy being only called in the writ to that service, their summons requiring them to come, “in fide et dilectione, ad declarandum consilium et avisamentum, et ad consentiendum his quæ tunc de avisamento et assensu cleri nostri (and not the commons) contigerit ordinari.”

63.

18 Edw. 1.
Rot. Parl.

But if any shall object, that many laws, as that of the supremacy, in the reign of Henry VIII., had the first rise in parliament; it is manifest, by the dates of their acts in convocations, that they had first in that place their originals. And that this was the use of old, nothing will leave it so clear as to observe the fruitless success of the laity, in all their endeavours to establish ecclesiastical laws; and this will I manifest by the king's answer, out of the records, as far as the rolls of parliament reach. Now there is no record of this nature extant, till the 18th of Ed. I., and here the commons petitioned the king, that a law may be made against usurers; the king's answer was, it must be remedied *coram ordinariis*. And when they desired remedy, “de multimodis injustis vexationibus eis factis per officiales, et alios ministros Ecclesiæ:” the king replied, “Cancellarius emendat in temporalibus, archiepiscopus faciat in spiritualibus.”

Rot. Parl.
8 Edw. 3.

Rot. Parl.
1 Rich. 2.

5 Rich. 2.

15 Rich. 2.

17 Rich. 2.
n. 43.

From hence the records fail in some measure, till near 8 Ed. III., in which parliament the commons desire an act to restrain the clergy in their trivial citations. The answer from the crown is this: “the king will charge the bishops to see it remedied.” And 1 Rich. II. a resembling petition was preferred against corruptions of ordinaries for receiving pecuniary punishments. The king answers, “that he will charge the ordinaries to do according to the laws of holy Church.” And, in the fifth of the same reign, they complained of abuses in ecclesiastical courts. The king answers, “he will charge the clergy to amend the same.” And, in the fifteenth year of this prince, when the commons required an act to declare the age of tithable wood, they had for answer, “the king will move the bishops for order between this and the next parliament.” And, in the seventeenth year of this reign, when they petitioned for

a "residing, learned ministry, so as the flock for want might not perish," the answer received was, "the king wills the bishops (to whom that office belongs) to do their duties."

King Henry IV. being desired by the lords and commons to pacify the schisms in the Church, answers, "he will charge the bishops to consider the same." And two years after, being importuned for an act of residency, he gives much the same answer as those above-mentioned. Rot. Parl. 2.
Hen. 4. n. 44.
4 Hen. 4.
Rot. Parl.

And, in the eleventh year of the same reign, the king answers, "*Ceste materie appartient à St. Eglise et à este remédie en la derraine convocation.*" In parliament, under the next reign, the king answers to the commons' petition against the oppression of ordinaries: "if the bishops do not redress the same, the king will." 1 Hen. 5.
Rot. Parl.

And, in the third of Hen. VI., to a petition that non-residents should forfeit the profit of their livings, the king gave answer, "that he had delivered the bill to the archbishops of Canterbury and York, charging them to provide means of remedy." And in the year following, to a petition that patrons may present upon non-residency, the answer was, "there is a remedy sufficient in the law spiritual." Rot. Parl.
3 Hen. 6.
Rot. Parl.
4 Hen. 6.

Since then it is plain by the records above-mentioned, that the plea of the laity in this matter has a very slender pretension, and by the order of William the Conqueror such interposing is wholly restrained; for, as this prince speaks, "*Defendo et autoritate mea interdico, ne ullus laicus homo de legibus quæ ad episcopum pertinent se intromittat;*" and then the Saxon synodals are rather canon-laws than laymen's acts; to which we may add, that the practice of the primitive Church, if well understood, is but a weak prop to these men's desire; it may not therefore seem distasteful from the king (walking in the steps of his glorious ancestors, kings of this land) to return the commons' desires to their proper place, the churchman's care. And, to conclude this point, in all parliaments, as Marcian the emperor did the council of Chalcedon, "*cesset jam prophana contentio, nam vere impius et sacrilegius est qui post tot sacerdotum sententiam opinioni suæ aliquid tractandum reliquit.*" Chartæ Antiquæ, B. B.
Leges Saxon.
Concil. Chalced.

R. C. B. This paper was very probably drawn up in the reign of king James I. by archbishop Bancroft.

LVII.

The ancient method of electing Bishops in the Church of England.

Biblioth.

Cotton.

Cleop. E. v.

fol. 142.

Sciendum est quod Ecclesia regimine pastoris destituta, capitulum sive canones præsentēs statuunt certum terminum ad electionem celebrandam, de quo fiat publicum instrumentum, in quo narrabitur qualiter tali die vacabat talis ecclesia: modus etiam vacationis declarabitur, an per mortem vel alias. Si per mortem tunc ejus corpore tradito ecclesiasticæ sepulturæ, qui de capitulo sunt, convenientes in unum talem terminum cum continuatione et prorogatione dierum et horarum sequentium ad electionem de novo celebrandam statuunt unanimiter: qui terminus erit competens, scilicet, quod infra illum absentes qui vocandi sunt, citati commode venire possunt, consideratis locorum distantiiis, et personarum et temporum qualitatibus. Deinde fiat certificatorium termino sive die electionis adveniente; et vocandi sunt omnes qui de jure aut consuetudine debent, volunt, aut possunt commode interesse. Et qui sunt in possessione, seu quasi eligendi, ut statuto ad hoc illo termino possunt ad electionem celebrandam convenire. Omnibus autem in loco statuto convenientibus diligenter deliberent an per viam compromissi aut scrutinii procedere maluerint; una via electa, eam perficient secundum decreta patrum et sanctorum canonum, et quia esset nimis longum hic omnia ascribere, ideo omitto quamplurima. Electione vere completa, fiat publicatio solennis toti populo, et cantabitur "Te Deum laudamus;" et electus deportetur ante summum altare. Quibus peractis infra certum tempus, requirant consensum electi, ut consentiat electioni de se factæ. Quo præstito, præsentabitur decretum electionis metropolitanæ, una cum electo: tenor decreti erit talis:

Reverendissimo in Christo patri et domino domino N. permissione divina Cantuar. archiepiscopo, totius Angliæ primati, et apostolicæ sedis legato, ejusve in spiritualibus vicario generali, sive officiali principali, aut alii cuicunque ejus vices gerenti. Vestri humiles et devoti filii prior et capitulum sive conventus ecclesiæ cathedralis nostræ omnimodas obedientias, et reverentias tanto reverendissimo primati et patri debitas cum honore; sacris est canonibus cautum ut ultra tres menses pontifice proprio non vacet ecclesia, ne pro defectu pastoris Dominicum gregem lupus rapax invadat: aut viduata ecclesia in suis facul-

tatibus grave dispendium patiatur. Ea propter bonæ memoriæ S. nuper N. episcopo nostro tali die et anno, sic ut Deo placuit, viam universæ carnis ingresso; corporeque ipsius, sic ut moris est, ecclesiasticæ tradito sepulturæ. Nos prior et capitulum sive conventus N. convenientes in unum ad electionem futuri pontificis nostri celebrandam, talem terminum duximus statuendum. Citatis igitur interim et tunc præsentibus, qui electioni celebrandæ debuerunt, voluerunt, et potuerunt commode interesse, in capitulo in domo nostra capitulari N. qui de jure, consuetudine et compositione interesse debebant, recepimus, de electione futuri pontificis tractaturi. Sane post diversos tractatus inter nos habitos, et nominationes diversarum personarum, et post discussiones et inquisitiones multiplices, tandem placuit nobis universis et singulis, per viam scrutinii, seu per viam compromissi procedere, et ut procedebatur, ita conficietur instrumentum.—Sic tum scribatur primati seu metropolitano.

64.

Reverendissimæ igitur paternitati vestræ duximus unanimiter supplicandum. ut electionem supradictam dignemini confirmare, et electo nostro prædicto munus consecrationis per sacrarum manuum vestrarum impositionem impertire. Quatenus, authore Deo, nobis velut pastor idoneus et toti episcopatu, vel (si est archiepiscopus seu primas) toti provinciæ, in his quæ ad episcopum seu archiepiscopum spectant præesse valeat et prodesse: et ut hanc electionem et petitionem convenire noscatis, benignitati reverendissimæ paternitatis vestræ hoc canonicum decretum sigillo nostro communi mittimus roboratum.

Forma Procuratoria ad petendum munus Consecrationis ab Archiepiscopo, prout habetur in Registro Lichfieldiensi de Electione facta de Magistro Rogero Melund in Episcopum electo sequitur. Ibid. fol. 140.

Reverendissimo in Christo patri ac domino N. Cantuar' archiepiscopo, &c. devoti filii sui Frater Willhelmus Prior et Capitulum Coventr' et Richardus Decanus et Capitulum Lichfield' salutem, et tam debitas quam devotas obedientias et reverentias cum honore, ad petendam a vobis confirmationem electionis nuper communiter per nos celebratæ de discreto viro domino Rogero Melund canonico Lichfield' in episcopum ecclesiarum Coventr' et Lichfield' præficiendo, et ad eandem

confirmationem coram vobis in forma juris cum effectu proseguend. dilectos confratres nostros in Christo fratrem Nicolaum monachum ac præcentorem Coventr' et magistrum Hugonem de W. canonicum Lichfield' procuratores nostros constituimus; raturum habentes et gratum quicquid iidem, seu alter eorum qui pro tempore præsens fuerit coram vobis fecerit seu fecerint in præmissis. In cujus rei testimonium præsentem litteras sigillis capitulorum nostrorum fecimus sigillari.

Dat. Coventr', Feb. 6, 1256.

LVIII.

Sprozzius de
Vic' epi.
lib. 2. q. 2,
3, & 4.
fol. 39.
Paper-office.

Quæ sunt Episcopalis Ordinis Dignitatis et Jurisdictionis.

Ordinis.

Ecclesias, altaria, calices, oratoria, cœmeteria, cæteraque loca, vestes, campanas, mappas et vasa divino cultui deputat' benedicere et consecrare, et eadem polluta reconciliare.

Abbatem et moniales benedicere et consecrare.

Chrisma, oleum infirmorum et catechumenorum conficere die Jovis sancta.

Pueros et puellas baptizatos confirmare, clericos ordinare.

Pontificalia exercere, &c.

Dignitatis.

Habere usum mitræ et pontificalium, honorem ac reverentiam a primoribus mundi. Concedere indulgentias et sacramenta diocesanis recurrentibus ad eum.

Audire confessiones.

Prædicare.

Injungere publicas et solennes pœnitentias, dispensare in quibusdam. . . .

Celebrare synodum diocesanam.

Judicare clericos.

Causas matrimoniales cognoscere.

Dimissorias ad ordines et sacramenta concedere.

Decima oblationum in casibus a jure expressis, synodationem, vel cathedraticum, quartam funeralium exigere.

Procuraciones ratione visitationis pro modo facultatum Ecclesiæ, charitativum subsidium ex ea et ejus census recipere, et similia quæ sunt dignitatis episcopalis.

Jurisdictionis.

Habere subjectionem subditorum, recipere ab illis juramentum.

Electos sibi subditos confirmare, novas parochias et collegia erigere, erectas rectificare.

Collapsas restaurare et in matrices ecclesias ex eis transferre.

Eligere.

Præsentare.

Præsentatos instituere, destituere, beneficia unire.

Conferre.

Resignationes recipere.

Causas ad forum episcopale spectan' cognoscere et judicare.

Visitare, reformare, ordinare, facere edict' constitutiones et præcepta.

Exequi, revocare, carcerare, torquere, condemnare delinquentes, et ad perpetuos carceres, corrigere, mulctare.

Excommunicare, absolvere, suspendere, interdicere, deponere, degradare.

Degradatos curiæ seculari tradere, brachiumulare seculare invocare.

Mitigare, poenas indicere, juramentum purgationis, indulgere delinquentibus, et gratiam facere in casibus a jure omissis.

Pias exequi voluntates, et reliqua similia quæ sunt episcopalis jurisdictionis, &c.

LIX.

The Office for the Communion, as it stands in the first Common Prayer-book, made in the reign of King Edward VI.

The Supper of the Lord, and the Holy Communion, commonly called the Mass.

So many as intende to bee partakers of the holy communion, shall signifie their names to the curate over night, or else in the morning afore the beginning of Matins, or immediately after.

Common
Prayer-
book, printed
at London,
June 16,
A. D. 1549.

And if any of those be an open and notorious evil liver, so that the congregation by him is offended, or have done any wrong to his neighbours, by word or deed, the curate shall

65.

call him, and advertise him in any wise not to presume to come to the Lorde's table, until he have openly declared himself to have truly repented, and amended his former naughty life: that the congregation may thereby be satisfied, which afore were offended: and that he have recompensed the parties whom he hath dooen wrong unto, or at the least bee in full purpose to so doe, as sone as he conveniently maye.

The same ordre shall the Curate use, with those betwixt whom he perceiveth malice and hatred to reign, not suffring them to bee partakers of the Lord's table, until he know them to bee reconciled. And that one of the parties so at variaunce be content to forgive, from the botome of his hearte, all that the other hath trespaced against him, and to make amendes, for that he himselfe hath offended; and the other partie will not bee perswaded to a godly unities, but remayne still in his frowardness and malice: the minister in that cause ought to admit the penitent persone to the holy communion, and not hym that is obstinate.

Upon the day and at the time appointed for the ministration of the holy communion, the priest that shall execute the holy ministry shall put upon hym the vesture appointed for that ministration; that is to saye, a white albe plain, with a vestment or cope. And where there be many priests or deacons, there so many shall be ready to help the priest, in the ministration, as shall bee requisite; and shall have upon them likewise the vestures appointed for their ministry: that is to saye, albes with tunacles. Then shall the clearkes syng in Englishe for the office, or *introite* (as they call it), a psalm appointed for that day.

The Priest, standing humbly afore the middes of the Altar, shall saye the Lord's Prayer, with this Collect.

Almightie God, unto whom all hearts bee open, and all desyres knowen, and from whom no secrets are hid, clense the thoughts of our hearts, by the inspiration of thy Holy Spirite, that we may perfectly love thee and worthely magnifie thy holy name, through Christ our Lord. Amen.

Then shall he saye a Psalme appointed for the introite: which Psalme ended, the Priest shall saye, or else the Clearkes shall syng,

iii. Lorde have mercie upon us.

iii. Christ have mercie upon us.

iii. Lorde have mercie upon us.

Then the Prieste, standing at Goddes board, shall begin.
Glory be to God on high.

The Clearkes.

And in yearth peace, good will towards men.

We prayse thee, we blesse thee, we worship thee, we gloryfie thee, we geve thankes to thee for thy greate glory, O Lorde God, heavenly Kyng, God the Father Almightye. O Lord the only begotten Sonne Jesu Christ, O Lorde God, Lambe of God, Sonne of the Father, that takest away the synnes of the worlde, have mercie upon us; thou that takest away the synnes of the worlde, receyve our prayer.

Thou that sittest at the righte hand of God the Father, have mercie upon us; for thou only art holy, thou only art the Lorde, thou only (O Christ) with the Holy Ghost, arte most high in the glory of God the Father. Amen.

Then the Priest shall turne him to the People and saye,
The Lorde be with you.

The Answer.

And with thy spirit.

The Priest.

Let us pray.

Then shall follow the Collect of the Daye, with one of these two Collects following.

For the Kyng.

Almighty God, whose kingdom is everlasting, and power infinite, have mercie upon the whole congregation, and so rule the heart of thy chosen servaunt Edward the Sixt, our kyng and governour: that he (knowyng whose minister he is) may above all thinges seek thy honour and glory, and that we his subjects (duely considering whose authoritie he hath) may faithfully serve, honour, and humbly obey him, in thee, and for thee, according to thy blessed word and ordinaunce; through Jesus Christe our Lorde, who, with thee, and the Holy Ghost, liveth, and reigneth, ever one God, world without ende. Amen.

Almighty and everlasting God, wee bee taught by thy holy word, that the hearts of kynges are in thy rule and governaunce, and that thou doest dispose and turne them as it seemeth best to thy godly wisdom: we humbly beseech thee so to dispose and govern the heart of Edward the Sixt, thy servaunt,

our kyng and governour, that in all his thoughts, words, and workes, he may ever seke thy honour and glory, and study to preserve thy people, committed to his charge, in wealth, peace, and godlynes. Graunt this, O merciful Father, for thy dere Sonne's sake, Jesus Christe, our Lorde. Amen.

The Collects ended, the Priest, or he that is appointed, shall read the Epistle, in the place assigned for the purpose, saying,

The Epistle of St. Paul, written in the — chapter of — to the —

The Minister then shall read the Epistle. Immediately after the Epistle ended, the Priest, or one appointed to read the Gospel, shall saye,

The Holy Gospel, written in the — chapter of —

The Clearkes and People shall answer,

Glory be to thee, O Lorde.

The Priest or Deacon then shall read the Gospell. After the Gospell ended, the Priest shall begin.

I believe in one God,

The Clearkes shall sing the rest.

The Father Almighty, maker of heaven and yearth, and of all things visible and invisible: and in one Lord Jesu Christ, the only begotten Sonne of God, begotten of his Father before all worldes: God of God, Light of Light, very God of very God, begotten, not made, beeyng of one substance with the Father, by whome all things were made, who for us men, and for our salvacion, came down from heaven, and was incarnate by the Holy Ghoste, of the Virgin Mary, and was made manne, and was crucified also for us under Pontius Pilate; he suffered and was buried, and the third day he arose again according to the Scriptures, and ascended into heaven, and sitteth at the right hand of the Father; and he shall come again with glory, to judge both the quicke and the dead.

And I believe in the Holy Ghost, the Lord and Gever of life, who proceedeth from the Father and the Sonne, who with the Father and the Sonne together is worshipped and glorified, who spake by the prophetes. And I believe one Catholike and Apostolike Church: I acknowledge one baptism for the remission of synnes. And I loke for the resurrection of the dead, and the life of the world to come. Amen.

After the Crede ended, shall follow the Sermon or Homely, or some portion of one of the Homelies, as they shall be hereafter divided, wherein if the People be not exhorted to the worthy receyving of the Holy Sacrament of the body and bloude of our Saviour Christ—then shall the Curate geve this Exhortation, to those that be minded to receive the same.

66.

Derely beloved in the Lord, ye that mind to come to the holy communion of the bodie and bloude of our Saviour Christ must considre what St. Paul writeth to the Corinthians ; how he exhorteth all persones diligently to trie and examine themselves before they presume to eate of that breade and drink of that cup : for, as the benefite is great, if with a truly penitent heart and lyvely faith we receive that holy sacrament, (for then we spiritually eate the flesh of Christe and drinke his blood,—then we dwell in Christ and Christ in us,—we be made one with Christe, and Christ with us ;) so is the daunger great, if we receyve the same unworthily, for then we become gyltie of the body and blood of Christ our Saviour,—we eate and drink our own damnacion, not considering the Lord's body. We kindle God's wrath over us, we provoke hym to plague us with diverse diseases, and sondery kyndes of death ; therefore, yf any here be a blasphemer, adoulterer, or bee in malice, or envie, or in any other grevous crime, (except he be truly sorry therefore, and earnestly mynded to leave the same vices, and do trust hymselfe to bee reconciled to Almighty God, and in charitie with all the worlde,) lette hym bewayle his synnes, and not come to the holy table, lest after the takyng of that most blessed bread, the devill enter into hym, as he dyd into Judas, to fyll him full of all iniquitie, and bryng him to destruction, bothe of bodie and soul. Judge therefore yourselves, brethren, that ye bee not judged of the Lorde. Let your mynde be without desire to synne ; repent you truely for your synnes past ; have an earnest and lyvelie faith in Christe our Savior ; bee in perfect charitie with all men : so shall ye be mete partakers of those holy mysteries. And, above all things, ye must give most humble and hearty thanks to God the Father, the Sonne, and the Holy Ghoste, for the redemption of the worlde by the death and passion of our Savior Christe, both God and man, who did humble hymself even to the death upon the crosse, for us miserable sinners, which laye in darknesse and shadowe of death, that he myghte make us the children of

God, and exalt us to everlasting lyfe. And to the end that we should alway remembre the exceeding love of our Maister and only Saviour Jesu Christe, thus dying for us, and the innumerable benefites which by his precious bloodshedyng he hath obteigned to us, he hath lefte those holy misteries as a pledge of his love, and a continual remembrance of the same his own blessed body and precious blood, for us to fede upon spiritually, to our endless comfort and consolacion. To him therefore, with the Father and the Holy Ghost, let us geve, as we are most bounden, continual thankses, submitting ourselves wholly to his holy wyll and pleasure, and studying to serve hym in true holyness and righteousnes all the dayes of our lyfe. Amen.

¶ *In Cathedral-churches or other places, where there is dailie communion, it shall be sufficient to reade this Exhortation above-written once in a moneth: and in parish Churches, upon the weke dayes, it may be left unsaid.*

¶ *And if upon the Sondag or Holy Daie the people be negligent to come to the Communion, then shall the Priests earnestly exhorthe his parishioners to dispose themselves to the receyving of the Holy Communion more diligently, saying these or like wordes unto them.*

Dere friends, and you especially upon whose soules I have cure and charge, on — next I do intende by God's grace to offere to all suche as shalle be godlie disposed, the most comfortable sacrament of the body and bloude of Christe, to be taken of them in the remembraunce of his moste fruitfull and glorious passion, by the which passion we have obteigned remission of our sinnes, and be made partakers of the kyngdom of heaven, whereof wee be assured and asseigne, if we come to the said sacrament with heartie repentaunce for our offences, stedfaste faith in Goddes mercie, and earnest mynde to obeye Goddes will and to offend no more. Wherefore our duetie is to come to these holy misteries, with most heartie thankses to bee geven to Almighty God, for his infinite mercie and benefites, geven and bestowed upon us his unworthie servauntes, for whom he hath not only given his body to death, and shed his bloude, but also doth vouchsafe in a sacrament and mistery to give us his said body and blood to fede upon spiritually. The whiche sacrament being so divine and holy a thinge, and so comfortable to them which receive it worthilye, and so dangerous to them that wyll presume to take the same unworthely,

my duty is to exhorte you in the meane season to consider the greatnes of the thing, and to serche and examine your own consciences, and that not lyghtly, nor after the manner of dissimulers with God, but as they which shoulde come to a moste godlie and heavenly banquet, not to come but in the marriage-garment required of God in Scripture, that you maye (so much as lieth in you) be found worthie to come to suche a table. The waies and means thereto is,—

First, that you be truly repentant of your former evil lyfe, and that you confesse with an unfayned hearte to Almighty God your synnes and unkyndnes towardes his majestie, committed either by wylle, worde, or dede, infirmitie or ignoraunce, and that with inward sorowe and teares you bewaile your offences, and require of Almighty God mercie and pardon, promising to him from the botome of your heartes the amendment of your former life. And emongs all others, I am commaunded of God especially to move and exhorte you to reconcile yourselves to your neighbours whom you have offended, or who hath offended you, putting out of your heartes all hatred and malice against them, and to be in love and charitie with all the worlde, and to forgeve other as you would that God should forgeve you; and yf any man hath doen wrong to any other, let him make satisfaccion and due restitution of all landes and goodes wrongfully taken away or withholden, before he come to Goddes borde, or at the leste be in fulle mynde and purpose so to doe as sone as he is able, or else let him not come to this holy table, thinking to deceive God, who seeth all men's heartes. For neyther the absolucion of the priest can any thinge avayle them, nor the receyvynge of this holy sacrament doth any thing but increase their damnacion. And yf there bee any of you whose conscience is troubled and grieved in any thing, lackyng comfort or counsayll, let him come to me, or to some other discrete and learned priest taught in the lawe of God, and confesse and open his sinne and grieve secretly, that he maye receyve such ghostly counsayl, advise, and comfort, that his conscience may be releved: and that of us (as of the ministers of God and of the Church) he maye receyve comforte and absolucion, to the satisfaccion of his mind, and avoyding of all scruple and doubtfulness, requiryng such as shall be satisfied with a general confession not to be offended with them that doe use, to their farther satisfyng, the auricular

and secrete confession to the priest, nor those also which think needfull or convenient for the quietnes of their own consciences particularly to open their sinnes to the prieste, to be offended with them that are satisfied with their humble confession to God and the general confession to the Church; but in all thinges to followe and kepe the rule of charitie, and every man to be satisfied with their owne consciences, not judging other mennes mindes or consciences, wheras he hath no warrant of Goddes Worde to the same.

¶ *Then shall folowe for the offertorie, one or more of these sentences of holy Scripture, to be song whiles the people doe offer, or els one of them to be said by the minister, immediately afore the offering.*

Matt. v. Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven.

Matt. vi. Laye not up for your selves treasure upon the yearth, where the ruste and mothe doth corrupte, and where thieves breake through and steale; but laie for your selves treasures in heaven, where neyther ruste nor mothe doth corrupt, and where thieves doe not breake through nor steale.

Matt. vii. Whatsoever you would that menne should doe unto you, even so doe you unto them, for this is the lawe and the prophetes.

Ibid. Not every one that sayth unto me, Lord, Lord, shall entre into the kyngdom of heaven, but he that dothe the will of my Father which is in heaven.

Luke xix. Zache stode furthe, and sayed unto the Lorde, Beholde, Lorde, the halfe of my goodes I give to the poore, and yf I have doen any wronge to any man, I restore foure folde.

1 Cor. ix. Who goeth a warfare at any tyme at his own cost? Who planteth a vinearde, and eateth not of the fruit thereof? or who fedeth a flocke, and eateth not of the milke of the flocke?

Ibid. If we have sowed unto you spiritual thinges, is it a great matter that we shall reape your worldly thinges?

Doe ye not knowe, that they whiche minister aboute holy thinges, lyve of the sacrifice? They which wait at the alter, are partakers with the alter? Even so hath the Lorde also ordained, that they which preach the Gospel, shoulde live of the Gospell.

2 Cor. ix. He which soweth litle shall reape litle, and he that soweth plenteously, shall reape plenteously. Let every manne do ac-

cordyng as he is disposed in his heart, not grudgingly, or of necessitie, for God loveth a chereful gever.

Let hym that is taught in the woord, minister unto hym Gal. vi. that teacheth, in all good thynges. Be not deceyved, God is not mocked. For whatsoever a manne soweth, that shall he reap. While we have time let us do good to all men, and especially unto them which are of the houshold of faith.

Godlines is great riches, yf a man be contented with that he 1 Tim. vi. hath: for we brought nothyng into the worlde, neither maye we cary any thinge out.

Charge them which are riche in this worlde, that they be Ibid. ready to geve, and glad to distribute, laying up in stoare for themselves a good foundation, against the time to come, that they maie attaine eternall lyfe.

God is not unrighteous, that he will forgette your woorkes Heb. vi. and labor, that procedeth of love, whiche love ye have shewed for his name's sake, whiche have mynystred unto sainctes, and yet do minister.

To do good, and to distribute, forget not, for with suche Heb. xiii. sacrifices God is pleased.

Whoso hath this worldes good, and seeth his brother have 1 John iii. nede, and shutteth up his compassion from him, how dwelleth the love of God in him?

Geve almose of thy goodes, and turne never thy face from Tob. iv. any poor man, and then the face of the Lord shall not be turned away from thee.

Bee mercyfull after thy power: if thou hast muche, geve Ibid. plenteously, yf thou hast litle, do thy diligence gladly to geve of that litle, for so gatherest thou thy selfe a good rewarde in the daie of necessitie.

He that hath pitie upon the poore, lendeth unto the Lorde: Prov. xix. and loke what he laieth out, it shall be paid him again.

Blessed be the man that provideth for the sicke and nedy, Psal. xli. the Lorde shall deliver hym in the tyme of trouble.

Where there be clearkes, thei shall sing one, or many of the sentences above written, according to the length and shortness of the tyme that the people be offeryng.

In the meane tyme, whyles the clearkes do sing the offertory, so many as are disposed, shall offer to the poore men's boze, every one accordyng to his habilitie and charitable mynde. And at the offerynge daies appointed, every manne and

woman shall paie to the curate the due and accustomed offerynges.

Then so many as shall bee partakers of the holy communion, shall tarye still in the quire, or in some convenient place nigh the quire, the men on the one side, and the women on the other side. All other (that mynde not to receyve the holy Communion) shall depart out of the quire, except the ministers and clearkes.

Then shall the Minister take so muche breade and wine, as shall suffice for the persons appointed to receive the holy Communion, laiying the breade upon the corporas, or els in the paten, or in some other comely thyng, prepared for that purpose: and putting the wine into the chalice, or els in some faire or convenient cup, prepared for that use (if the chalice will not serve) puttyng thereto a litle pure and cleane water: and setting forth the bread and wine upon the alter: then the Priest shall saye,

The Lord be with you.

Answers.

And with thy spirite.

Priest.

Lift up your heartes.

Answers.

We lift them up unto the Lorde.

Priest.

Let us give thanks to our Lorde God.

Answers.

It is mete and right so to do.

The Priest.

It is very mete, righte, and our bounden dutie, that we should at all tymes, and in all places, geve thanks to thee, O Lorde, holy Father, Almighty Everlastinge God.

¶ *Here shall folowe the proper Preface, accordyng to the Tyme (yf there bee any specially appointed) or else immediately shall folowe. Therefore with angels, &c.*

68.

Propre Prefaces.

¶ *Upon Christmas Day.*

Because thou diddeste geve Jesus Christe, thyne only Sonne to be borne as this daie for us, who by the operacion of the Holy Ghoste was made very man, of the substance of the Vir-

gin Mary his mother, and that withoutte spotte of sinne, to make us clean from all sinne. Therefore, &c.

¶ *Upon Easter Day.*

But chiefly we are bound to prayse thee, for the glorious resurreccion of thy Sonne Jesus Christe our Lorde, for he is the very pascall lamb which was offered for us, and hath taken away the synne of the world, who by his death hath destroyed death, and by his risyng agayn hath restored to us everlastinge lyfe. Therefore, &c.

¶ *Upon the Ascension Day.*

Through thy most dere beloved Sonne, Jesus Christe our Lorde, who after his moste glorious resurreccion, manifestly appeared to all his disciples, and in theyre sighte ascended up into heaven, to prepare a place for us, that where he is, thither might we also ascende, and reigne with him in glory. Therefore, &c.

¶ *Upon Whitsondaye.*

Through Jesus Christe our Lorde, accordyng to whose most true promise, the Holy Ghoste came doune this daye from heaven with a sodain great sounde, as it had been a mightie wynde, in the lykenes of fiery tongues, lightyng upon the Apostles to teach them, and to lead them to all truth, gevyng them both the gifte of divers languages, and also boldnes with fervente zeale, constantly to preche the Gospell, unto all nations, whereby we are brought out of darknes and error into the cleare light and true knowledge of thee, and of thy Sonne Jesus Christe. Therefore, &c.

¶ *Upon the Feast of Trinitie.*

It is very meete, righte, and our bounden duty, that we should at all tymes, and in all places, geve thanks to thee, O Lord Almightye, Everlastinge God, which arte one God, one Lorde, not one only person but three persons in one substance: for that which we beleve of the glory of the Father, the same we believe of the Sonne, and of the Holy Ghoste, without any difference, or inequalitye: whom the angels, &c.

After which Preface shall folowe immediately.

Therefore with angels and archangels, and all the holy companye of heaven, we laud and magnifie thy glorious name, evermore praysyng thee, and sayinge: holy, holy, holy, Lord God of hostes: heaven and earth are full of thy glory: Osanna in

the higheste. Blessed is he that cometh in the name of the Lorde : glory to thee, O Lorde, in the highest.

This the Clearkes shall also syng.

¶ *When the Clearkes have doen syngyng, then shall the Priest, or Deacon, turne hym to the People and saye,*

Let us praye for the whole state of Christe's Church.

Then the Priest turning him to the Altar, shall saye or syng plainly and distinctly, this Prayer following.

Almightie and everlyvyng God, which by thy holy apostle hast taught us to make prayers and supplications, and to geve thanks for all menne. We humbly beseeche thee most mercifully to receyve these our prayers, which we offre unto thy Divine Majestie, besechyng thee to inspire continually the universall Church with the spirit of trueth, unitie and concorde ; and graunt that all they that do confesse thy holye name, maye agree in the trueth of thy holye worde, and lyve in unitie and godly love. Specially wee beseeche thee to save and defende thy servaunte Edwarde our kynge, that under him we may be godly and quietly governed. And graunte unto his whole counsaile, and to all that be put in authoritie under hym, that they maye truely and indifferently minister justice, to the punishment of wickedness and vice, and to the maintenaunce of Goddes true religion and virtue. Geve grace, (O heavenly Father) to all bishoppes, pastors, and curates, that they maye both by their life and doctrine, set furthe thy true and lively worde, and rightly and duely administer thy holye Sacraments. And to all thy people geve thy heavenly grace, that with meke heart and due reverence they maye heare and receyve thy holye worde, truely servyng thee in holynesse and righteousness, all the dayes of their life. And wee most humbly beseeche thee of thy goodnes (O Lord) to comforte and succoure all them, which in this transitory life be in trouble, sorowe, nede, sycknes, or any other adversitie. And especially we commend unto thy merciful goodnes, thys congregacion, which is here assembled in thy name, to celebrate the commemoration of the moste glorious death of thy Sonne : and here we doe geve unto thee moste high prayse and heartie thanks, for the wonderful grace and vertue, declared in all thy saints, from the begynning of the world, and chiefly in the glorious and most blessed Virgin Mary, mother of thy Sonne Jesu

Christe, our Lord and God, and in the holy patriarches, prophetes, apostles, and martyrs, whose examples (O Lorde) and stedfastness in thy faythe, and kepyng thy holy commaundmentes, graunte us to folowe. We commend unto thy mercie (O Lord) all other thy servaunts, which are departed hence from us with the signe of fayth, and nowe do reste in the slepe of peace: graunte unto them, we beseeche thee, thy mercy, and everlastinge peace, and that at the daye of the general resurreccion, we and all they which be of the mystical body of thy Sonne, maye altogether be set on his right hand, and hear that his most joyful voice: Come unto me, O ye that be blessed of my Father, and possess the kingdom which is prepared for you, from the begynning of the worlde: graunte this, O Father, for Jesus Christe's sake, our only Mediator and Advocate.

O God, heavenly Father, which of thy tender mercy diddeste geve thine only Sone Jesu Christ, to suffer death upon the Crosse for our redemption, who made there (by his one oblation once offered) a full, perfect, and sufficient sacrifice, oblation, and satisfaccion for the sinnes of the whole worlde, and dide institute, and in his Holy Gospell commaunde us to celebrate a perpetual memorye of that his precious deathe, untill his comming agayne: heare us (O mercyfull Father) we beseeche thee, and with thy Holy Spirite and Worde vouchsafe to bl+esse and sancti+fie these thy gifts, and creatures of bread and wyne, that they maye be unto us the bodie and blood of thy most derely beloved Sonne Jesus Christe, who in the same nyght that he was betrayed tooke breade, and when he had blessed, and geven thanks, he brake it, and gave it to his disciples, sayinge; Take, eate; this is my bodye whiche is given for you, do this in remembrance of me.

Here the Priest must take the bread into his handes.

Lykewise after supper he tooke the cuppe, and when he had geven thanks, he gave it to them, saying; Drinke ye all of this, for this is my bloude of the New Testament, which is shed for you and for many, for remission of sins: do this, as oft as you shall drinke it, in remembrance of me.

Here the Priest shall take the Cup into his handes.

69.

¶ *These wordes before rehersed are to be sayed, turning still to the Altar, without any elevation, or shewing the Sacrament to the people.*

Wherefore, O Lorde and heavenly Father, according to the institution of thy derely beloved Sonne, our Savioure Jesu

Christe, we thy humble servauntes doe celebrate and make here before thy Divine Majestie, with these thy holy giftes, the memoriall which thy Sonne hath willed us to make; having in remembraunce his blessed passion, mightie resurreccion, and glorious ascencion; renderynge unto thee moste hearty thanks for the innumerable benefites procured unto us by the same; entyrelly desiring thy Fatherly goodnes mercyfully to accept thys our sacrifice of prayse and thankesgevinge; most humbly beseechyng thee to graunt, that, by the merites and death of thy Sonne Jesus Christe, and thro' faith in his blood, we and all thy whole Church may obteigne remission of our sinnes, and all other benefites of his passion. And here we offre and present unto thee, O Lord, oure self, oure soules and bodyes, to be a reasonable, holy, and lively sacrifice unto thee, humbly beseechyng thee, that whosoever shall be partakers of this holy communion maye worthely receive the moste precious body and bloude of thy Sonne Jesus Christe, and be fullfilled with thy grace and heavenly benediccion, and made one bodye with thy Sonne Jesu Christ, that he may dwell in them and they in hym. And altho' we be unworthy, thro' our manyfold synnes, to offre unto thee any sacrifice, yet we beseeche thee to accepte this our bounden duetie and service, and commaunde these oure prayers and supplicacions, by the ministerye of thy holy angels, to be brought up into thy holy tabernacle before the syght of thy Divine Majestie, not waying our merites, but pardoning our offences, through Christe our Lorde, by whome and with whome, in the unitie of the Holy Ghost, all honoure and glorye be unto thee, O Father Almighty, world without ende. Amen.

Let us praye.

As our Saviour Christe hath commaunded and taughte us, we are bold to saye, Our Father whiche arte in heaven, halowed be thy name; thy kyngdome come; thy will be done in earth, as it is in heaven; geve us this daye our daylie breade; and forgeve us our trespases, as we forgeve them that trespasse against us; and leade us not into temptation.

The Aunswere.

But deliver us from evill. Amen.

Then shall the Priest saye,

The peace of the Lorde be alway with you.

The Clearkes.

And wyth thy spirite.

The Priest.

Christe our Pascal Lambe is offred up for us once for all, when he bare our sinnes on his body upon the crosse, for he is the very Lambe of God that taketh away the sinnes of the worlde; wherefore let us kepe a joyfull and holy feast with the Lorde.

Here the Priest shall turn hym towards those that come to the Holy Communion, and shall saye,

You that do truely and earnestly repent you of your sinnes to Almightye God, and be in love and charitie with your neyghbours, and entende to leade a newe life, folowing the commandements of God, and walkyng from hencefurth in hys holy ways, drawe nere and take this holy sacrament to your comforte, make your humble confession to Almightye God, and to his holy Church here gathered together in his name, mekely knelyng upon your knees.

Then shall this General Confession be made, in the name of all those that are mynded to receive the Holy Communion, either by one of them, or els by one of the Ministers, or by the Priest hymself, all kneeling humbly upon their knees.

Almightye God, Father of our Lorde Jesus Christe, maker of al thinges, Judge of all menne, we knowledge and bewayle our manyfolde sinnes and wickednes which we from tyme to tyme most greuously have committed, by thoughte, woorde, and dede, against thy Divine Majestie, provockyng moost justly thy wrath and indignacion against us; we do earnestly repente and be hartely sory for these our misdoings, the remembrance of them is grevous unto us, the burthen of them is intollerable: have mercie upon us, have mercy upon us, most mercyfull Father; for thy Sonne our Lorde Jesus Christes sake forgeve us all that is past; and graunte that we may ever hereafter serve and please thee in newness of life, to the honour and glory of thy name, through Jesus Christ our Lord.

Then shall the Priest stande up, and, turning hymself to the people, say thus,

Almightye God our heavenly Father, who of his greate mercye hath promised forgevenesse of synnes to all them which with hearty repentance and true faith turn unto hym; have mercy upon you, pardon and deliver you from all your sinnes,

confirm and strengthen you in all goodnes, and bring you to everlasting lyfe, through Jesus Christe our Lorde. Amen.

Then shall the Prieste also saye,

Heare what comfortable woordes our Saviour Christe sayeth to all that truly turn to him:—

Come unto me all that travel and bee heavy laden, and I shall refresh you. So God loved the world, that he gave his only begotten Sonne, to the end, that all that believe in hym shoulde not perishe, but have life everlastinge.

Heare also what Saincte Paule sayeth:—

This is a true saying, and woorthie of all men to be receyved, that Jesus Christ came into this worlde to save sinners.

Heare also what St. John saith:—

If any man sinne, we have an advocate with the Father, Jesus Christ the Righteous, and he is the propitiation for our sins.

Then shall the Prieste, turning hym to Goddes Boord, knele down, and saye, in the name of all them that shall receyve the Communion, this Prayer following,

We doe not presume to come to this thy table, O mercyfull Lorde, trusting in our own righteousnes, but in thy manifold and great mercies; we bee not woorthy so much as to gather up the cromes under thy table, but thou art the same Lord whose property is always to have mercie; graunte us therefore, gracious Lord, so to eate the fleshe of thy dere Sonne Jesus Christe, and to drinke his bloude, in these holy misteries, that we may continually dwell in him, and he in us, that oure sinful bodies may be made clean by his body, and oure soules washed thro' his most precious bloude. Amen.

¶ *Then shall the Prieste first receive the Communion in both kindes himself, and next deliver it to other Ministers, if any be there presente (that they maye be readye to helpe the chiefe Minister), and after to the people.*

¶ *And when he delivereth the Sacrament of the body of Christ, he shall saye to every one these words,*

70. The body of our Lorde Jesus Christ, whiche was geven for thee, preserve thy bodye and soule unto everlasting lyfe.

And the Minister, delivering the Sacrament of the bloud, and geving every one to drinke once and no more, shall saye,

The bloud of our Lord Jesus Criste, which was shed for thee, preserve thy bodye and soule unto everlastynge lyfe.

If there be a Deacon or other Priest, then shall he folowe with the Chalice; and as the Priest ministreth the Sacrament of the Body, so shall he (for more expedicion) minister the Sacrament of the Bloud, in fourme before written.

In the Communion tyme the Clearkes shall synge,

ii. O Lambe of God, that takeste awaye the synnes of the worlde, have mercy upon us.

O Lambe of God, that takeste awaye the synnes of the worlde, graunte us thy peace.

Beginning so soone as the Prieste doth receive the holy Communion; and when the Communion is ended, then shall the Clearkes syng the post Communion.

¶ *Sentences of Holy Scripture, to be said or songe every day, one after the holy Communion, called the post Communion.*

If any man will followe me, let hym forsake himselfe, and Matt. xvi. take up his crosse, and followe me.

Whosoever shall indure unto the ende, he shall be saved. Mark xiii.

Praysed be the Lord God of Israell, for he hath visyted and Luke i. redeemed his people: therefore let us serve hym all the dayes of our lyfe, in holynes and righteousnes accepted before hym.

Happie are those servauntes, whome the Lorde (when he Luke xii. cummeth) shall fynde wakyng.

Be ye readie, for the Sonne of manne will come at an hower Luke xii. when ye thinke not.

The servaunte that knoweth hys maister's wyll, and hath not Luke xii. prepared hymselfe, neither hath doen accordynge to his wyll, shall be beaten with many stripes.

The howre cummeth, and now it is, when true woorshippers John iv. shall woorship the Father in spirite and truethe.

Beholde, thou art made whole; sinne no more, leste any John v. worse thing happen unto thee.

If ye shall continue in my Worde, then are ye my very dis- John viii. ciples, and ye shall knowe the truethe, and the truethe shall make you free.

While ye have lyght, beleve on the lyght, that ye may be the John xii. children of lyght.

He that hath my commaundements, and kepeth them, the John xiv. same is he that loveth me.

If any man love me, he will kepe my woorde, and my Father John xiv. will love hym, and we will come unto hym, and dwell with hym.

John xv. If ye shall hyde in me, and my Woorde shall abyde in you, ye shall aske what ye will, and it shall bee doen to you.

John xv. Herein is my Father glorified, that ye beare muche fruite, and become my disciples.

John xv. This is my commaundement, that you love together as I have loved you.

Rom. viii. If God be on our syde, who can be against us? whiche did not spare his own Sonne, but gave hym for us all.

Rom. viii. Who shall laye any thyng to the charge of Goddes chosen? It is God that justifieth, who is he that can condemn?

Rom. xiii. The nyghte is passed, and the daye is at hande: let us therefore caste away the dedes of darkness, and put on the armour of light.

1 Cor. i. Christe Jesus is made of God, unto us, wisdom and righteousness, and sanctifying and redemption, that (according as it is written) he whiche rejoyceth should rejoyce in the Lorde.

1 Cor. iii. Knowe ye not that ye are the temple of God, and that the Spirit of God dwelleth in you? Yf any man defile the temple of God, hym shall God destroy.

1 Cor. vi. Ye are derely bought: therefore glorifie God in your bodies, and in your spirites, for they belonge to God.

Ephes. v. Be you folowers of God as deare children, and walke in love, even as Christe loved us, and gave hymselfe for us an offering and a sacrifice of a swete savoure to God.

Then the Priest shall geve thanks to God, in the name of all them that have communicated, turning hym first to the people, and saying,

The Lorde be with you.

The Answers.

And with thy spirite.

The Priest.

Let us praye.

Almightie and everlyvynge God, we most heartely thanke thee for that thou hast vouchsafed to feed us in these holy mysteries with the spirituall foode of the moste precious body and bloude of thy Sonne our Saviour Jesus Christ, and hast assured us (duely receyving the same) of thy favour and goodnes toward us, and that we be very members incorporate in thy mystical bodye, which is the blessed companie of all faithfull people, and heyres through hope of thy everlastinge kingdome,

by the merites of the moste precious deathe and passion of thy deare Sonne ; we therefore moste humbly beseeche thee, O heavenly Father, so to assiste us with thy grace that we may continue in that holy felowship, and doe all suche good woorkes, as thou haste prepared for us to walke in, through Jesus Christe oure Lorde, to whome, with thee and the Holy Goste, bee all honour and glorye, worlde withoute end.

Then the Priest, turning hym to the people, shall let them depart with this blessing,

The peace of God, which passeth all understanding, kepe your heartes and mindes in the knowledge and love of God, and of his Sonne Jesus Christe our Lord ; and the blessing of God Almightye, the Father, the Sonne, and the Holy Gost, be emonges you, and remayne with you alway.

Then the People shall aunswere,

Amen.

Where there are no Clearkes, there the Priests shall saye all things appointed here for them to syng.

When the holy Communion is celebrate on the workeday, or in private houses, then may be omitted the Gloria in Excelsis, the Crede, the Homely, and the Exhortation, beginning,

Dearly beloved, &c.

Collects to be said after the Offertory, when there is no Communion, every such day one.

Assist us mercifully, O Lord, &c.

The rest of the collects are the same with those which stand at the end of the communion-service now used.

After the collect, " Almightye God, who hast promised to hear," &c., there follow two collects,—the one for rain, and the other for fair weather,—the same with ours.

The Lady Elizabeth's Letter to the Queen Dowager Parr, then married to the Lord Admiral Seymour ; it was written to wish the Queen Dowager a good hour.

Although your Highness's letters be most joyful to me in absence, yet considering what pain it is to you to write, your

Cotton. Lib.
Otho C. x.
fol. 462.
A.D. 1548.

Grace being so great with child, and so sickly, your commendation were enough in my [lord's] letter. I much rejoice at your health, with the well liking of the country, with my humble thanks that your Grace wish'd me with you, till I were weary of that country. Your Highness were like to be cumbered, if I should not depart till I were weary being with you. Although it were in the worst soil in the world, your presence would make it pleasant. I cannot reprove my [lord] for not doing your commendations in his letter, for he did it: and although he had not, yet I will not complain on him, for that he shall be diligent to give me knowledge, from time to time, how [his] busie child doth; and if I were at his birth, no doubt I would see him beaten, for the trouble he has put you to. Mr. Denny and my lady, with humble thanks, prayeth most intirely for your Grace, praying the Almighty God to send you a most lucky deliverance. And my mistress wisheth no less, giving your Highness most humble thanks for her commendations. Written with very little leisure, this last day of July.

This and the next periods show plainly this queen was not then married to king Henry.

Your humble daughter,

ELIZABETH.

LXI.

K. Edward's *The Names of the two-and-thirty persons commissioned by*
Journal, *King Edward VI. to examine, correct, and set forth the Ec-*
Cotton *clesiastical Laws.*
Library.

The Bishops.

Canterbury.
Ely.
London.
Winchester.
Exeter.
Bath.
Gloucester.
Rochester.

The Divines.

Taylor of Lincoln.
Taylor of Hadlee.
Mr. Cox, almoner.
Sir John Cheek.
Sir Anthony Cook.
Petrus Martyr.
John Alasco.
Parker of Cambridge.

Civilians.

Mr. Secretary Petre.
 Mr. Secretary Cicil.
 Mr. Traherne.
 Mr. Read.
 Mr. Coke.
 May, dean of Paul's.
 Skinner.

Lawyers.

Justice Bromley.
 Justice Hales.
 Gosnald.
 Goodrick.
 Stamford.
 Carel.
 Lucas.
 Gawdy.

LXII.

*The Forms of Ordaining the lower Orders settled by the Fourth
 Council of Carthage.*

Morinus de
 Sacris Ordina-
 tionibus,
 part 2.
 p. 260.

Subdiaconus cum ordinatur quia manus impositionem non accipit, patinam de episcopi manu accipiat vacuum, et calicem vacuum. De manu vero archidiaconi urceolum cum aqua, et mantile, et manutergium.

Acolythus quum ordinatur, ab episcopo quidem doceatur, qualiter in officio suo agere debeat. Sed ab archidiacono accipiat ceroferrarium cum cereo, ut sciat se ad accendenda ecclesiæ luminaria mancipari. Accipiat et urceolum vacuum, ad suggerendum vinum in Eucharistiam sanguinis Christi.

Exorcista cum ordinatur, accipiat de manu episcopi libellum in quo scripti sunt exorcismi, dicente sibi episcopo: Accipe, et commenda memoriæ, et habeto potestatem imponendi manus super energumenum, sive baptizatum, sive catechumenum.

Lector cum ordinatur, faciat de illo verbum episcopus ad plebem, indicans ejus fidem, ac vitam atque ingenium. Post-hæc spectante plebe, tradat ei codicem de quo lecturus est, dicens ad eum: Accipe et esto lector Verbi Dei, habiturus, si fideliter et utiliter impleveris officium, partem cum eis, qui Verbum Dei ministraverint.

Ostiarus cum ordinatur, postquam ab archidiacono instructus fuerit, qualiter in domo Dei debeat conversari, ad suggestionem archidiaconi tradat ei episcopus claves ecclesiæ de altario; dicens: Sic age quasi redditurus Deo rationem pro his rebus, quæ his clavibus recluduntur.

Psalmista, id est, cantor potest absque scientia episcopi, sola jussione presbyteri officium suscipere cantandi, dicente

sibi presbytero : Vide ut quod ore cantas, corde credas : et quod corde credis, operibus probes.

Sanctimonialis virgo quum ad consecrationem suo episcopo offertur, in talibus vestibus applicatur, qualibus semper usura est, professioni et sanctimonie aptis.

LXIII.

Part of the Service at the Consecration of a Bishop in the Greek Church. The Translation examined by the Original.

Morinus de
Sacris Ordina-
tionibus,
ex antiquis-
simo Octin-
gentorum
Annorum
Codice,
part 2. p. 64.

72.

..... Here Domine Deus noster qui per eximium et omnibus modis celebrandum apostolum tuum constituisti nobis in sancto altari tuo graduum et dignitatum ordinem, primum apostolos, deinde prophetas, tertio doctores ad inserviendum et ministrandum venerandis et immaculatis mysteriis tuis : ipse omnium Domine, confirma et corrobora hunc electum, ut per manum mei peccatoris et adsistentium ministrorum et coëpiscoporum, sanctique Spiritus adventu, virtute, et gratia subeat Evangelicum jugum, et dignitatem episcopalem, sicut confirmasti et corroboraisti sanctos prophetas tuos ; sicut unxisti reges, sicut sanctificasti principes sacerdotum ; ipsiusque hierarchicam dignitatem irreprehensibilem effice et conserva, eumque omni morum gravitate sanctimonia adornans sanctifica, ut dignus sit qui intercedat apud te, et postulet ea quæ ad salutem populi spectant, et obedientiam sibi exhibendam, quia sanctificatum est nomen tuum, et glorificatum regnum tuum, &c.

Dicto Amen, precem diaconicam recitat præsentium episcoporum unus hoc modo.

In pace Dominum deprecemur, pro superna pace, et salute animarum nostrarum, Dominum deprecemur.

Pro pace totius mundi, et bono stabiliq[ue] statu sanctarum Ecclesiarum, et omnium unione, Dominum deprecemur.

Pro archiepiscopo nostro N. ipsius sacerdotio, auxilio, perseverantia, pace, et salute, et operibus manuum ejus, Dominum deprecemur.

Pro eo qui nunc designatur et promovetur ad episcopatum, et salute ipsius Dominum deprecemur.

Ut benignus et hominum amans Deus ipsi largiatur episcopatum ab omni sorde emaculatum, et irreprehensibilem, deprecemur.

Pro religiosissimo, et a Deo custodito imperatore nostro, pro hac urbe, ut nos liberemur, auxiliare, serva, miserere, intercedente sanctissima et immaculata domina nostra Dei Genetrix.

Dum autem profertur hæc oratio ab episcopo, habet similiter archiepiscopus manum super caput illius, qui ordinatur, sic orans.

Domine Deus noster, qui propterea quod non potest humana natura divinitatis ferre præsentiam, constituisti prudenti cœconomia tua doctores affectibus, et animi perturbationibus nobis similes, qui throni tui sedem occuparent, qui pro universo populo tuo sacrificia et oblationes offerrent: Tu Domine hunc declaratum cœconomum gratiæ episcopalis, effice imitorem tui, veri pastoris, ut ponat animam suam pro ovibus suis, ut sit cæcorum dux, lumen eorum qui in tenebris, institutor insipientium, luminare mundi, et præparatis recteque institutis animabus sibi creditis, quandiu luce terrena fruuntur, non erubescat, sed confidenter adstet tribunali tuo; magnamque illam mercedem recipiat, quam iis præparasti qui pro prædicatione Evangelii tui depugnarunt. *Alia voce*, Tuum enim est misereri, et salvare, &c.

LXIV.

Ordinatio Presbyteri.

Presbyter cum ordinatur, episcopo eum benedicente, et manum super caput ejus ponente, etiam omnes presbyteri qui præsentibus sunt manus suas juxta manum episcopi super illius ponant caput.

Morinus de Sacris Ordinationibus, part 2. p. 286, from an English-Saxon pontifical.

Oratio ad ordinandum Presbyterum.

Oremus dilectissimi Deum Patrem Omnipotentem, ut super hunc famulum suum quem ad presbyterii munus elegit, cœlestia dona multiplicet, et qui ejus dignationem suscipit, ejus exequatur auxilium. Per.

Alia.

Exaudi nos quæsumus Domine Deus noster, et super hunc famulum tuum ill. &c., ut supra in Corbeiensi primo. Vid. Morin. de Sac. Ordin. page 270.

Hic mutatur Stola, sequitur Oratio.

Domine Sancte Pater Omnipotens Æternæ Deus, bonorum Autor, et Distributor omnium dignitatum quæ tibi militant:

per te proficiunt universa, per te cuncta firmantur, *cætera ut supra in Corbeiensi primo, nisi quod hic scribitur* Sacerdotalis ordo, mentem, sacrum ministerium, quæsumus hæc, qui quanto famulum tuum ill. ut acceptum, “Corbeiensem codicem hoc loco cum verbis nostris comparans varietatis lectionem facile intelliget, sed levissimæ sunt differentię.” Vid. Morin.

Benedictio vel Consecratio Manuum Sacerdotis ante unctionem Chrismatis.

Benedic Domine et sanctifica has manus sacerdotis tui ill. ad consecrandas hostias quæ pro delictis atque negligentis populi offeruntur, et ad cætera benedicenda quæ ad usus populi necessaria sunt, et præsta, quæsumus, ut quæcunque benedixerint, benedicantur, et quæcunque sacraverint, sacrentur, Salvator mundi qui vivis et regnas.

Consecratio manuum Sacerdotis de Oleo et Chrismate.

Consecrentur manus istæ, quæsumus Domine, de oleo sancto, et sanctificentur per istam unctionem, sanctamque benedictionem, ut quæcunque benedixerint, benedicta sint, et quæcunque sanctificaverint, sanctificata permaneant. Per.

Consecratio Capitis cum Oleo.

Ungatur et consecretur caput tuum coelesti benedictione in ordine sacerdotali, in nomine Patris, Filii, et Spiritus Sancti. Amen. Pax tibi, *Resp.* Et cum spiritu tuo.

Tunc vestiatur Casula, sequitur Oratio.

Benedictio Dei Patris, et Filii, et Spiritus Sancti descendat super te, et hac sacerdotali veste indutus, protectus, et munitus esse valeas ab omnibus impugnationibus malignorum spirituum, et sis benedictus, et offeras hostias placabiles pro peccatis atque offensionibus populi Omnipotenti Deo, cui est honor et gloria.

Ad consummandum Presbyteri Officium.

Sit nobis communis oratio, fratres, ut hic qui in adiutorium et utilitatem vestræ salutis eligitur, presbyteratus benedictionem divini muneris indulgentia consequatur, et Sancti Spiritus sacerdotalium dona privilegio virtutum ne impar loco deprehendatur, obtineat.

Item alia.

Deus sanctificationum omnium Autor, cujus vera consecratio plena benedictio est, super hunc famulum tuum ill. quem ad presbyterii honorem ad ill. Ecclesiam dedicamus, gratiam tuæ benedictionis infunde, ut gravitate actuum, probet se esse

omnium seniore, his institutis disciplinis, quas Tito et Timotheo Paulus instituit, ut in lege tua Omnipotens Deus, die et nocte meditans, quod legerit credat, quod crediderit doceat, et quod docuerit imitetur. Justitiam, constantiam, misericordiam, fortitudinem in se ostendat, probet, ammonitione confirmet, ut purum atque immaculatum mysterii donum custodiat, et per obsequium plebis tuæ corpore et sanguine Filii tui immaculata benedictione transformetur ad inviolabilem charitatem, et in virum perfectum, in mensuram ætatis plenitudinis Christi, in die justi et æterni judicii, conscientia pura, fide plena, Spiritu Sancto plenus appareat, te largiente. Qui vivis, &c.

Incipit Ordinatio Episcopi.

Episcopum qui ordinandus est, duo episcopi per manus de secretario antequam Evangelium legatur, deducant ante altare, et eo inibi prosternato, ab archiepiscopo inchoetur Litania, qua finita, et eo erecto ponatur Evangelium super scapulas ejus, et has dicant episcopi super ipsum orationes. *Oremus.* Dilectissimi nobis, ut huic viro ill. ad utilitatem Ecclesiæ provehendo benignitas Omnipotentis Dei gratiæ suæ tribuat largitatem. Per Dominum.

Alia.

Adesto supplicationibus nostris, Omnipotens Deus, ut quod humilitatis nostræ gerendum est ministerio, tuæ virtutis impleatur effectus. Per.

Alia.

Propitiare Domine supplicationibus nostris: et inclinato super hunc famulum tuum ill. Cornu gratiæ sacerdotalis, benedictionis tuæ in eo effunde virtutem. Per Dominum.

Solus vero Archiepiscopus hanc dicat Consecrationem cæteris adstantibus, et duobus Episcopis Evangelium super ipsum qui ordinandus est tenentibus.

Deus honorum omnium, Deus omnium dignitatum, quæ gloriæ tuæ sacratis famulantur ordinibus. Deus qui Moysen famulum tuum secreti familiaris afflatu, inter cætera coelestis documenta culturæ, de habitu quoque indumenti sacerdotalis instituens, electum Aaron mystico amictu vestiri inter sacra jussisti, ut intelligentiæ sensum de exemplis priorum caperet secutura posteritas, ne eruditio doctrinæ tuæ ulli deesset ætati: cum et apud veteres reverentiam ipsa significationum species obtineret, et apud nos certiora essent experimenta

rerum quam ænigmata figurarum. Illius namque sacerdotii anterioris habitus, nostræ mentis ornatus est, et pontificalem gloriam non jam nobis honor commendat vestium, sed splendor animarum: quia et illa quæ tunc carnalibus blandiebantur obtutibus, ea potius quæ in ipsis erant intelligenda poscebant. Et proinde huic famulo tuo quem ad summi sacerdotii ministerium elegisti, hanc, quæsumus Domine, gratiam largiaris, ut quidquid illa velamina in fulgore auri, in nitore gemmarum, in multimodi operis varietate signabant, hoc in ejus moribus actibusque clarescat. *Hic accipit chrisma.* Comple Domine in sacerdote tuo, mysterii tui summam, et ornamentis totius glorificationis instructum eum celestis unguenti flore sanctifica. *Hic mittatur chrisma super caput ejus.* Hoc Domine copiose in caput ejus influat, hoc in oris subjecta decurrat, hoc in totius corporis extrema descendat, ut tui Spiritus virtus, et interiora ejus repleat, et exteriora circumtegat. Abundet in eo constantia fidei, puritas dilectionis, sinceritas pacis, sint speciosi munere tuo pedes ejus ad evangelizandam pacem, ad evangelizandum bona tua. Da ei Domine mysterium reconciliationis in verbis, et factis, et virtutibus et signis, et prodigiis. Sit sermo ejus et prædicatio non in persuasibilibus humanæ sapientiæ verbis, sed in ostensione Spiritus et virtute. Da ei, Domine, claves regni cælorum; utatur nec glorietur potestate quam tribuis in ædificationem, et non in destructionem: quodcunque ligaverit super terram, sit ligatum et in cælis, et quodcunque solverit super terram, sit solutum et in cælis. Quorum detinuerit peccata, detenta sint, et quorum dimiserit, tu dimittas. Qui benedixerit ei sit benedictus, et qui maledixerit ei, maledictionibus repleatur. Sit fidelis servus et prudens quem constituas dominum super familiam tuam, ut det illis cibum in tempore necessario, et exhibeat omnem hominem perfectum. Sic sollicitudine impiger, sit spiritu fervens, oderit superbiam, diligat veritatem, nec eam unquam deserat, aut lassitudine, aut timore superatus. Non ponat lucem tenebras, nec tenebras lucem: non dicat bonum malum, nec malum bonum. Tribuas ei, Domine, cathedram pontificalem ad regendam Ecclesiam tuam, et plebem universam. Sis ei auctoritas, sis ei firmitas, sis ei potestas. Multiplices super eum benedictionem, et gratiam tuam, ut ad exorandam misericordiam tuam tuo semper munere idoneus, tua gratia possit esse devotus. Per.

Item alia super Episcopum.

Pater Sancte, Omnipotens Deus, qui per Dominum nostrum Jesum Christum ab initio cuncta creasti, et postmodum in fine temporum secundum pollicitationem quam Abraham patriarcha noster acceperat, Ecclesiam quoque sanctorum congregatione fundasti, ordinatis rebus per quas legibus a te datis disciplinæ religio regeneretur. Præsta ut hic famulus tuus sit ministeriis cunctisque fideliter gestis officiis dignus, ut antiquitus instituta Sacramentorum mysteria possit celebrare, per te in summum ad quod assumitur sacerdotium consecratur. Sit super eundem benedictio tua, licet manu nostra sit. Præcipe, Domine, huic pascere oves tuas, ac tribue ut commissi gregis custodia sollicitus pastor invigilet. Spiritus huic Sanctus coelestium charismatum divisor adsistat, ut sicut ille electus gentium doctor instituit, sit justitia non indigens, benignitate pollens, hospitalitate diffusus, servet in exhortationibus alacritatem, in persecutionibus fidem, in charitate patientiam, in veritate constantiam, in hæresibus ac vitiis omnibus odium sciat, in æmulationibus nesciat: in judiciis gratiosum esse sinas, et gratum esse concedas. Postremo a te largitore discat, quæ salubriter tuos doceat. Sacerdotium ipsum opus esse existimet, non dignitatem. Proficiant ei honoris augmenta, etiam ad incrementa meritorum, ut per hæc sicut apud nos nunc adsciscitur in sacerdotium, ita apud te postea adsciscatur in regnum. Per Dominum.

Benedictio de septiformi Spiritu.

Spiritus Sanctus septiformis veniat super te, et virtus altissimi sine peccato custodiat te, et omnis benedictio quæ in scripturis sanctis scripta est, super te veniat. Confirmet te Deus Pater, et Filius, et Spiritus Sanctus, ut habeas vitam æternam, et vivas in sæcula sæculorum. Amen.

Consecratio Manuum Episcopi ab Archiepiscopo, Oleo sancto, et Chrismate.

Ungantur manus istæ, et sanctificentur, et in te Deo Deorum ordinentur. Ungo has manus oleo sanctificato, et chrismate unctionis purificato, sicut unxit Moyses verbo oris sui manus S. Aaron germani sui, et sicut unxit Spiritus Sanctus per suos flatus, manus suorum Apostolorum, ita ungantur manus istæ, et sanctificentur et consecrentur, ut in omnibus sint perfectæ in nomine tuo, Pater, Filiique tui, atque æterni

Spiritus S. qui es unus ac summus Dominus omnium vivorum et mortuorum, manens in sæcula sæculorum.

Hic mittatur Oleum super Caput ejus.

Ungatur et consecratur caput tuum cœlesti benedictione in ordinem pontificalem in nomine Patris, et Filii, et Spiritus Sancti. Pax tibi. *Resp.* Et cum spiritu tuo.

Benedictio Baculi ut alii volunt.

Tu baculus nostræ, et rector per sæcula vitæ

Istum sanctifica pietatis jure bacillum

Quo mala sternantur, quo semper recta regantur.

Hic detur Baculus, sequatur Oratio.

Accipe baculum pastoralis officii, et sis in corrigendis vitiis sæviens; in ira judicium sine ira tenens: cum iratus fueris, misericordiæ reminiscens.

Item alia.

Accipe baculum sacri regiminis signum, ut imbecilles consolides, titubantes confirms, pravos corrigas, rectos dirigas in viam salutis æternæ, habeasque potestatem erigendi dignos, et corrigendi indignos, cooperante Domino nostro Jesu Christo, qui cum Patre et Spiritu Sancto vivit.

Cum datur Annulus, hæc Oratio dicatur.

74. Accipe ergo anulum discretionis et honoris, fidei signum, ut quæ signanda sunt signes, et quæ aperienda sunt prodas, quæ liganda sunt liges, quæ solvenda sunt solvas; atque credentibus per fidem baptismatis, lapsis autem et pœnitentibus per ministerium reconciliationis, januas reconciliationis aperias: cunctis vero de thesauro dominico nova et vetera proferas, ad æternam salutem omnium consolator, gratia Domini nostri Jesu Christi qui cum Patre et Spiritu Sancto vivit et regnat.

Additio in Consecratione.

Deus honorum omnium, Deus omnium dignitatum quæ gloriæ tuæ sacris famulantur ordinibus, huic famulo tuo ill. quem Apostolicæ sedis præsulem et primatem sacerdotum ac ecclesiæ tuæ doctorem dedisti, et ad summi sacerdotii ministerium elegisti, hanc quæsumus Domine gratiam largiaris, ut cathedram pontificalem ad regendam Ecclesiam tuam, et plebem universam ascendat. Per.

Hic mittatur in Cathedram Episcopalem, et hæc Oratio dicatur.

Omnipotens Pater Sancte, Deus æternæ, tu omnem ordinem dignatus es in cœlestibus sedibus ordinare, in cœlo, Domine, in

æternum permanet Verbum tuum, ubi angelos et archangelos suo tibi ordine manciparis, et in Veteris Testamenti privilegio Moysen, et Aaron, et Samuel inter eos in sacerdotibus tuis qui invocant nomen tuum, patriarchas et prophetas per unguinem ordinasti: in novo per Filium tuum Jesum Christum Apostolos sanctos, et præcipue Apostolum Petrum in cathedram honoris universæ Ecclesiæ præposuisti, et Mathiam ejusdem consortem in Apostolatam atque cathedram enumerasti, et in numerum sanctorum omnium Apostolorum evocasti, quæsumus, pro tua immensa misericordia in nostris temporibus, da tuam gratiam fratri nostro ill. ad instar sanctorum Apostolorum tuorum, sedentium in cathedra honoris et dignitatis, ut in conspectu majestatis tuæ dignus honore appareat. Per Dominum.

Alia.

Domine Jesu Christe, tu præelegisti Apostolos tuos, ut doctrina sua nobis præessent, ita etiam vice Apostolorum hunc episcopum, doctrinam docere, et benedicere, et erudire digneris, ut immaculatam vitam et illæsam conservet. Per omnia sæcula sæculorum.

Benedictio ejusdem Sacerdotis.

Populus te honoret, adjuvet te Dominus, quicquid petieris præstet tibi Deus, cum honore, cum castitate, cum scientia, cum largitate, cum charitate, cum nobilitate. Dignus sis, justus sis, humilis sis, sincerus sis, Apostolus Christi sis. Accipe benedictionem, et apostolatam qui permaneat in die ista, et in die futura. Angeli sint ad dexteram tuam, Apostoli coronati ad sinistram: Ecclesia sit mater tua, et altare sit Deus Pater tuus. Sint angeli amici tui, sint Apostoli fratres tui, et apostolatus tui gradum custodiant. Confirmet te Deus in justitia, in sanctitate, in Ecclesia sancta. Angeli recipiant te, et pax tecum indiscrepabilis per redemptorem Dominum nostrum Jesum Christum, qui cum Patre et Spiritu Sancto vivit et regnat in sæcula sæculorum. Amen.

LXV.

A Patent of King Edward VI. for the Establishment of the Dutch Church in London.

Le privilege Ottroye par le Roy, a l'Eglise des Estrangers
institué à Londres, l'an 1550.

Paper-office. Edouard sixiesme, par le grace de Dieu Roy d'Angleterre, France, et Hirlande, Defenseur de lay Foy, et supreme Chef en terre, sous Christ, de l'Eglise d'Angleterre et d'Hirlande. A tous ceux auxquels ces presentes lettres parviendront, salut. Comme ainsi soit, que tres grandes et graves considerations, nous ayent induits (specialement à present) et aussi pensans ce, de quelle affection et charité, il convient que les princes Chretiens soyent, prompts, et bien affectiones envers le saint et sacré Evangile de Dieu et à la religion Apostolique, encomencée, instituée, et donnée de Christ mesme, sans laquelle, la police et la gouvernement civil ne peut longement durer, ny garder son honneur. Sinon que le princes, et autres hommes puissants, lesquels Dieu a volieu estre allis aux gouvernements des royaumes, fashant devant toutes choses, que par tout le corps de la republique, la religion chaste, et entire soit espandue; et que l'Eglise instituée et augmentée aux opinions, et façons vrayment Chretiennes et Apostoliques soit conservée par le saints ministres, morts à la chair et au monde, (pour autant que nous arrestons que c'est l'officie d'un prince Chretien, entre autres grandes cogitations, pour bien et noblement administrer son royaume, de pourvoir à la religion, et aux calamiteux, affliges et bannis à cause de la religion) sachez, que considerans non seulement les choses predites, et desirans garder de la tyrannie du Pape l'Eglise par nous restituée en sa premiere liberte, mais ausi ayant pitie de la condition des bannis et estrangers qui ja alles, et long temps y à, ont demuré en nostre royaume d'Angleterre, estans condamnez à banissement volontaire à cause de la religion et de l'Eglise, (car nous n'avons point estimé, que cela fut digne d'un homme Chretien, ny de la magnificence d'un prince, du quel la liberalité, doyye estre ad streinte ou fermée à toutes gens estrangers, proffigez et chassé de leurs pays, et se retirans en nostres royaumes à refuge, ayant besoign d'aides necessaires à la

vie, en tel estat et pourtant que plusieurs des Allemands et autres estrangers, qui sont venus, et viennent journellement en nostre royaume tant d'Allemagne que d'autres pays lointains, aux quels la liberté de l'Evangile, sous la domination de la papauté à commencée, d'estre taché et opprimée n'ont point de lieu certain, ny place ou ils puissent en nostre royaume faire leurs assembles, ou ils puissent entre les hommes de leur nation, et de leur langue traiter intelligiblement les affaires de la religion et les choses ecclesiastiques, selon la coustume et maniere de leur pays. Parquoy de nostre grace speciale, et de nostre certaine science et plein mouvement, et aussi par l'advis de nostre conseil, nous voulons, concedons, et ordonnons, que d'oresen-avant il y ait un temple, ou maison dediée en nostre cite de Londres le quel ou la quelle on appellera le temple du Siegneur Jesus, ou la congregation et assemblée des Allemands et autres estrangers puisse estre fait et celebrée. A ceste intention et propos, que par les ministres de l'Eglise des Allemands et autres estrangers, le S. et sacre Evangile soit interpreté purement, et les sacremens administrer selon la parole de Dieu, et ordonnance Apostolique, et par les presentes, dressons, creons, ordonnons et fondons ce temple, ou maison dediée d'un superintendant, et de quatre ministres de la parole. Et que les dits superintendant et ministres soyent et seront de fait et de nom, un corps incorporé et pollitique de soy, par le nom de superintendant et des ministres de l'Eglise des Allemands et des autres estrangers, par la fondation du Roy Edouard sixiesme. Nous les encorporons par ces presentes en la cité de Londres, et creons, dressons, ordonnons, faisons et constitutions, realment, et de fait par ces presents, un corps incorporé et pollitique par le mesme nom, et qu'ils ayant succession. Et en outre, de nostre, grace speciale, et de nostre certain science, et per mouvement, et de l'advis de nostre conseil, nous avons donné et concedé, donnons et concedons aux dits superintendant et ministres de l'Eglise des Allemands, et autres estrangers, en la cité de Londres tout ce temple ou eglise des Augustins, qui fuerent par le devant en nostre cité de Londres, et tout la terre, le fons, et le sol, de les dits eglise, excepte toute le cœur de la dite eglise, et la terre fons et sol d'iceluy. Les dits superintendant et ministres et leurs successors auront et jouyront du dit temple ou eglise, et des choses susdits, hors de choses ex-

ceptées, pour les tems de nous et de nos heritiers et successeurs en pure et en franche aumosne. En outre nous donnons de le advisement predict et de nostre certaine science, et des nos mouvements predicts, par ces presents, nous concedons aux dits superintendant et ministres, et à leurs successeurs, pleine faculté, puissance et autorité d'augmenter et faire plus grands nombres de ministres, de les nommer et appunctuer de temps en temps, tels et semblables ministres, pour servir au dit temple, qu'il semblera estre necessaires aux dits superintendant, et ministres, et seront toutes ces choses, selon le bon plaisir du roy. Davantage nous voulons, que Jean à Lasco, Polonnois de nation, homme fort honorable, à cause de son integrité et innocence de vie et de moeurs, et de sa singuliere erudition, soit le premier et moderne superintendant de la dit eglise, et que Gualterus de Lænus, Martin de Flandres, Francois de la Riveire et Richard Francois, soyent les quatres premiers et modernes ministres; nous donnons avantage et concedons aux dits superintendants et ministres, et à leurs successeurs, faculté, autorité et puissance qu'apres la mort ou vacation d'aucuns des dits ministres, de temps en temps, d'en choisir, nommer et surroger un autre en son lieu, persone capable et idoyne: tellement toute fois que la persone ainsi, nommée et eslevé soit présentée et amenée devant nous, nos heritiers et successeurs, et qu'ils soyent ordoner au dit ministere par nous, ou nos heritiers et successeurs. Nous donnons aussi et concedons, aux dits superintendant et ministres, et à leurs successeurs, faculté, autorité, et licence, apres la mort et vacation du superintendant, de temps en temps, d'en eslire nommer et surroger un autre en sa place, qui soit personnage docte et grave, en sorte toute fois, que la personne ainsi nommée et eslevé soit présentée et amenée devant nous, et nos heritiers ou successeurs, et soit instituée par nous, ou nos heritiers ou successeurs à l'office susdits surintendant.

Nous mandons et fermement enjoignons, nous commandons au maire, conseillers et eschevins de nostre ville de Londres, et à l'evesque de Londres et à les successeurs avec toutes autres archevêques, justiciers, officiers, et à tous nos autres ministres, qu'ils permettent aux dit superintendant et ministres, de franchement et en repos, joyer, user, et exercer aux leurs manieres et ceremonies propres et la discipline ecclesiastique propre et particuliere; non obstant, qu'ils ne conviennent avec nos manieres

et ceremonies unities en nostre royaume ; et ce sans empeschement, trouble ou inquietation d'eux, ou d'aucun d'eux par aucun statute, acte, proclamation, injonction, restriction, ou usage, qu'ils ont eu auparavant ; au contraire, et non obstant tous fait, edits ou proclamations a ce contraires, pource que aux presents mention expresse aucune n'y a de vraye valeur annuelle, ou de la certitude des choses presdits ou d'aucune, d'icelles, ou des autres, dons et concessions par nous cy devant faites, aux dits superintendant, ministres et à leurs successeurs, ou par aucun statute, acte, ordonnance, provision, ou restriction, faits publictz, ordonnez, ou pourvus au contraire, ou non obstante quelconque autre chose, cause au matiere que ce soit. En tesmoignage de quoy, nous avons fait faire ces nostres lettres patentes. Temoign moy mesme, à Leighes le 24 jour de Juliet, l'an quatreiesme de nostre regne.

Par le bref du prive seel et des choses données par
l'authorite du parlement,

P. Southwell.

W. HARRYS.

LXVI.

*Articles agreed upon in the Convocation, and published by the
King's Majesty.*

[The difference between these articles and those passed by the bishops and clergy of both houses, in the year 1562, may be seen by comparing the text with the margin.]

*The Margin
contains
some of the
alterations
or omissions
made in
1562.*

I. *Of Faith in the Holy Trinity.*

There is but one living and true God, and he is everlasting, without body, parts, or passions ; of infinite power, wisdom, and goodness ; the Maker and Preserver of all things, both visible and invisible : and in unity of his Godhead there be three Persons, of one substance, power, and eternity, the Father, Son, and the Holy Ghost.

II. *That the Word, or Son of God, was made very Man.*

The Son, which is the Word of the Father *, took man's nature in the womb of the blessed Virgin Mary, of her substance ; so that two whole and perfect natures—that is to say,

** Begotten
from Ever-
lasting, of
the Father,
the very and
eternal God,
of one Sub-
stance with
the Father.*

the Godhead and manhood—were joined together into one Person, never to be divided, whereof is one Christ, very God and very man, who truly suffered, was crucified, dead and buried, to reconcile his Father to us, and to be a sacrifice for all sin of man, both original and actual.

III. *Of the going down of Christ into Hell.*

As Christ died and was buried for us, so also it is to be believed that he went down into hell *: for the body lay in the sepulchre until the resurrection; but his ghost, departing from him, was with the ghosts that were in prison, or in hell, and did preach to the same, as the place of St. Peter doth testify.

* The following words are omitted in the third Article of 1562.

† Of the Holy Ghost. The Holy Ghost, proceeding from the Father and the Son, is of one Substance, Majesty, and Glory, with the Father and the Son, very and eternal God. This is the fifth Article amongst those passed A.D. 1562.

† IV. *The Resurrection of Christ.*

Christ did truly rise again from death, and took again his body, with flesh, bones, and all things appertaining to the perfection of man's nature, wherewith he ascended into heaven, and there sitteth, until he return to judge men at the last day.

V. *The Doctrine of Holy Scripture is sufficient to Salvation.*

Holy Scripture containeth all things necessary to salvation: so that whatsoever is neither read therein, nor may be proved thereby, although it be sometime received of the faithful as godly and profitable for an order and comeliness, yet no man ought to be constrained to believe it as an article of faith, or repute it requisite to the necessity of salvation.

76.

VI. *The Old Testament is not to be refused.*

The Old Testament is not to be put away as though it were contrary to the New, but to be kept still: for both in the Old and New Testaments, everlasting life is offered to mankind by Christ, who is the only Mediator between God and man, being both God and man; wherefore they are not to be heard which feign that the old fathers did look only for transitory promises.

VII. *The three Creeds.*

The three Creeds, Nicene Creed, Athanasius's Creed, and that which is commonly called the Apostles' Creed, ought thoroughly to be received ‡: for they may be proved by most certain warrants of Holy Scripture.

‡ And believed.

VIII. *Of Original or Birth Sin.*

Original sin standeth not in the following of Adam, (as the Pelagians do vainly talk, which also the Anabaptists do now-a-days renew;) but it is the fault and corruption of the nature of every man that naturally is ingendred of the offspring of Adam, whereby man is very far gone from his former righteousness which he had at his creation, and is of his own nature given to evil; so that the flesh desireth always contrary to the spirit, and therefore in every person born in this world it deserveth God's wrath and damnation. And this infection of nature doth remain, yea in them that are baptized, whereby the lust of the flesh, called in Greek *φρόνημα σαρκός*, which some do expound the wisdom, some the sensuality, some the affection, some the desire of the flesh, is not subject to the law of God; and although there is no condemnation for them that believe and are baptized, yet the apostle doth confess that concupiscence and lust hath of itself the nature of sin.

IX. *Of Free-will.*

We have no power to do good works pleasant and acceptable to God, without the grace of God by Christ preventing us, that we may have a good will; and working in us, when we have that will.

X. *Of Grace.*

The grace of Christ, or the Holy Ghost by him given, doth take away the stony heart, and giveth an heart of flesh; and although those that have no will to good things he maketh them to will, and those that would evil things he maketh them not to will the same, yet nevertheless he enforceth not the will; and therefore no man when he sinneth can excuse himself as not worthy to be blamed, or condemned, by alleging that he sinned unwillingly or by compulsion.

XI. *Of the Justification of Man.*

Justification by only faith in Jesus Christ, in that sense as it is declared in the homily of justification, is a most certain and wholesome doctrine for Christian men.

XII. *Works before Justification.*

Works done before the grace of Christ and the inspiration

of his Spirit are not pleasant to God, forasmuch as they spring not of faith in Jesu Christ, neither do they make men meet to receive grace, or (as the school authors say) deserve grace of congruity; but because they are not done as God hath willed and commanded them to be done, we doubt not but they have the nature of sin.

XIII. *Works of Supererogation.*

Voluntary works besides, over and above God's commandments, which they call works of supererogation, cannot be taught without arrogance and iniquity: for by them men do declare, that they do not only render to God as much as they are bound to do, but that they do more for his sake than of bounden duty is required: whereas Christ saith plainly, "when ye have done all that is commanded you, say, we be unprofitable servants."

XIV. *No Man is without Sin but Christ alone.*

Christ, in the truth of nature, was made like unto us in all things, sin only excepted, from which he was clearly void, both in his flesh and in his spirit. He came to be the Lamb without spot, who by sacrifice of himself, made once for ever, should take away the sins of the world. And sin (as St. John saith) was not in him; but the rest (yea, although we be baptized and born again in Christ) yet we offend in many things; and "if we say we have no sin, we deceive ourselves, and the truth is not in us."

XV. *Of Sin against the Holy Ghost.*

Every deadly sin willingly committed after baptism is not sin against the Holy Ghost, and unpardonable; wherefore the place for penitents is not to be denied to such as fall into sin after baptism. After we have received the Holy Ghost, we may depart from grace given, and fall into sin; and by the grace of God, we may arise again, and amend our lives. And therefore they are to be condemned which say they can no more sin as long as they live here, or deny the "place of penance*" to such as truly repent and amend their lives.

* The place of forgiveness.

XVI. *Blasphemy against the Holy Ghost.*

All omitted. Blasphemy against the Holy Ghost, is when a man of malice

and stubbornness of mind doth rail upon the truth of God's Word manifestly perceived, and, being enemy thereunto, persecuteth that same; and because such be guilty of God's curse, they entangle themselves with a most grievous and heinous crime, whereupon this kind of sin is called and affirmed of the Lord, unpardonable.

XVII. *Of Predestination and Election.*

Predestination to life is the everlasting purpose of God, whereby (before the foundations of the world were laid) he hath constantly decreed by his own judgment, secret from us, to deliver from curse and damnation those whom he hath chosen * out of mankind, and to bring them to everlasting ** In Christ.* salvation by Christ, as vessels made to honour: whereupon such as have so excellent a benefit of God given unto them be called according to God's purpose, by his Spirit working in due season; they through grace obey the calling; they be justified freely; they be made sons † by adoption; they be made like *† Sons of God.* the image of God's only begotten Son Jesus Christ; they walk religiously in good works; and at length, by God's mercy, they attain to everlasting felicity.

As the godly consideration of predestination and our election in Christ is full of sweet, pleasant, and unspeakable comfort to godly persons, and such as feel in themselves the working of the Spirit of Christ, mortifying the works of the flesh and their earthly members, and drawing up their mind to high and heavenly things, as well because it doth greatly establish and confirm their faith of eternal salvation to be enjoyed through Christ, as because it doth fervently kindle their love towards God: so for curious and carnal persons, lacking the Spirit of Christ, to have continually before their eyes the sentence of God's predestination, is a most dangerous downfall, whereby the devil may thrust them either into desperation, or into wretchlessness of most unclean living, no less perilous than desperation.

Furthermore, although the decrees of predestination are unknown to us, yet we must receive God's promises in such wise as they be generally set forth to us in Holy Scripture; and in our doings that will of God is to be followed, which we have expressly declared unto us in the Word of God.

XVIII. *We must trust to obtain eternal Salvation only by the Name of Christ.*

They also are to be had accursed and abhorred, that presume to say, that every man shall be saved by the law or sect which he professeth, so that he be diligent to frame his life according to that law, and the light of nature. For Holy Scripture doth set out unto us only the name of Jesus Christ, whereby men must be saved.

XIX. *All Men are bound to keep the moral Commandments of the Law.*

The law which was given of God by Moses, although it bind not Christian men as concerning the ceremonies and rites of the same, neither is it required that the civil precepts and orders of it should, of necessity, be received in any common-weal; yet no man, be he never so perfect a Christian, is exempt and loose from the obedience of those commandments which are called moral. Wherefore they are not to be hearkened to, who affirm that Holy Scripture is given only to the weak, and do boast themselves continually of the Spirit, of whom they say they have learned such things as they teach, although the same be most eminently repugnant to the Holy Scripture.

XX. *Of the Church.*

The visible Church of Christ is a congregation of faithful men, in which the pure Word of God is preached, and the Sacraments be duly ministered according to Christ's ordinance in all those things that of necessity are requisite to the same.

As the Church of Jerusalem, of Alexandria, and of Antioch, hath erred: so also the Church of Rome hath erred, not only in their living, but also in matters of faith.

XXI. *Of the Authority of the Church.*

It is not lawful for the Church to ordain any thing that is contrary to God's Word written, neither may it so expound one place of Scripture, that it be repugnant to another. Wherefore, although the Church be a witness and keeper of Holy Writ, yet as it ought not to decree any thing against the same, so beside the same ought not to enforce any thing to be believed for necessity of salvation.

XXII. *Of the Authority of General Councils.*

General councils may not be gathered together without the commandment and will of princes. And when they be gathered (for as much as they be an assembly of men, whereof all be not governed with the Spirit and Word of God), they may err, and sometimes have erred, not only in worldly matters, but also in things pertaining unto God. Wherefore things ordained by them as necessary to salvation, have neither strength nor authority, unless it may be declared, that they be taken out of the Holy Scripture.

XXIII. *Of Purgatory.*

The doctrine of school-authors concerning purgatory, pardons, worshipping, and adoration, as well of images as of relics, and also invocation of saints, is a fond thing, vainly feigned, and grounded upon no warrant of Scripture, but rather repugnant to the Word of God.

XXIV. *No Man may minister in the Congregation except he be called.*

It is not lawful for any man to take upon him the office of public preaching, or ministering the Sacraments in the congregation before he be lawfully called, and sent to execute the same; and those we ought to judge lawfully called and sent, which be chosen and called to this work by men who have public authority given unto them in the congregation to call and send ministers in the Lord's vineyard.

XXV. *Men must speak in the Congregation in such a Tongue as the People understandeth.*

It is most seemly and most agreeable to the Word of God, that in the congregation nothing be openly read, or spoken in a tongue unknown to the people; the which St. Paul did forbid, except some were present that should declare the same.

XXVI. *Of the Sacraments.*

Our Lord Jesus Christ hath knit together a company of new people, with Sacraments most few in number, most easy to be kept, most excellent in signification, as is Baptism and the Lord's Supper.

The Sacraments were not ordained of Christ to be gazed upon, or to be carried about, but that we should rightly use them. And in such only as worthily receive the same, they have a wholesome effect and operation, and yet not that of the work wrought as some men speak ; which word, as it is strange and unknown to Holy Scripture, so it engendereth no godly, but a very superstitious sense. But they that receive the Sacraments unworthily, purchase to themselves damnation, as St. Paul saith.

Sacraments ordained by the Word of God, be not only badges and tokens of Christian men's profession, but rather they be certain sure witnesses, and effectual signs of grace and God's good will towards us ; by the which he doth work invisibly in us, and doth not only quicken, but also strengthen and confirm our faith in him.

XXVII. *The Wickedness of the Ministers doth not take away the effectual Operation of God's Ordinances.*

Although in the visible Church the evil be ever mingled with the good, and sometime the evil have chief authority in the ministration of the Word and Sacraments ; yet forasmuch as they do not the same in their own name, but do minister by Christ's commission and authority, we may use their ministry, both in hearing the Word of God, and in the receiving the Sacraments. Neither is the effect of God's ordinances taken away by their wickedness, nor the grace of God's gifts diminished from such as by faith rightly receive the Sacraments ministered unto them, which be effectual, because of Christ's institution and promise, although they be ministered by evil men.

* *Evil ministers.*

Nevertheless, it appertaineth to the discipline of the Church, that enquiry be made of * such, and that they be accused by those that have knowledge of their offences, and finally being found guilty by just judgment be deposed.

XXVIII. *Of Baptism.*

Baptism is not only a sign of profession, and mark of difference whereby Christian men are discerned from others that be not christened ; but it is also a sign and seal of our new birth, whereby, as by an instrument, they that receive baptism rightly are engrafted in the Church. The promises of forgiveness of

sin, and of our adoption to be the sons of God, are visibly signed and sealed, faith is confirmed, and grace increased by virtue of prayer unto God. The custom of the Church to christen young children, is to be commended, and in any wise to be retained in the Church.

78.

XXIX. *Of the Lord's Supper.*

The supper of the Lord is not only a sign of the love that Christians ought to have among themselves one to another; but rather it is a Sacrament of our redemption by Christ's death. Inasmuch that, to such as rightly, worthily, and with faith receive the same, the bread which we break is a communion of the body of Christ; likewise the cup of blessing is a communion of the blood of Christ.

Transubstantiation, or the change of the substance of bread and wine into the substance of Christ's body and blood, cannot be proved by Holy Writ; but it is repugnant to the plain words of Scripture, and hath given occasion to many superstitions.

Forasmuch as the truth of man's nature requireth, that the body of one and the selfsame man cannot be at one time in divers places, but must needs be in some one certain place; therefore the body of Christ cannot be present at one time, in many and divers places. And because, as Holy Scripture doth teach, Christ was taken up into heaven, and there shall continue unto the end of the world: a faithful man ought not either to believe or openly confess the real and bodily presence, as they term it, of Christ's flesh and blood in the Sacrament of the Lord's Supper.

The Sacrament of the Lord's Supper was not commanded by Christ's ordinance to be kept, carried about, lifted up, nor worshipped.

XXX. *Of the perfect Oblation of Christ made upon the Cross.*

The offering of Christ made once for ever, is the perfect redemption, the pacifying of God's displeasure, and satisfaction for all the sins of the whole world, both original and actual, and there is none other satisfaction for sin but that alone. Wherefore the sacrifices of masses, in the which it was commonly said, that the priest did offer Christ for the

* *Bias-
phemous.*

quick and the dead, to have remission of pain or sin, were
* forged fables, and dangerous deceits.

XXXI. *The state of Single Life is commanded to no Man by
the Word of God.*

*Therefore it
is lawful for
them, as for
all other
Christian
men, to
marry at
their own
discretion,
as they shall
judge the
same to serve
better for
godliness.*

Bishops, priests, and deacons are not commanded to vow
the state of single life, without marriage: neither by God's
Law are they compelled to abstain from matrimony.

XXXII. *Excommunicate persons are to be avoided.*

That person which by open denunciation of the Church is
rightly cut off from the unity of the Church, and excommuni-
cate, ought to be taken, of the whole multitude of the faithful, as
an heathen and publican, until he be openly reconciled by
penance, and received into the Church by a judge that hath
authority thereto.

XXXIII. *Traditions of the Church.*

It is not necessary that traditions and ceremonies be in all
places one, or utterly like; for at all times they have been
divers, and may be changed according to the diversity of
countries, and men's manners, so that nothing be ordained
against God's word. Whosoever through his private judgment
willingly and purposely doth openly break the traditions and
ceremonies of the Church, which be not repugnant to the
Word of God, and be ordained and approved by common
authority, ought to be rebuked openly (that others may fear to
do the like), as one that offendeth against the common order
of the Church, and hurteth the authority of the magistrate,
and woundeth the consciences of weak brethren.

XXXIV. *Of Homilies.*

The homilies of late given and set out by the king's autho-
rity, be godly and wholesome, containing doctrine to be received
of all men, and therefore are to be read to the people diligently,
distinctly, and plainly ¹.

¹ The second Book of Homilies, the several titles whereof we have joined under the
article, doth contain a godly and wholesome doctrine necessary for these times, as doth
the former Book of Homilies, which were set forth in the time of Edward VI., and
therefore we judge them to be read in churches, by the ministers, diligently and dis-
tinctly, that they may be understood of the people. 1. Of the right Use of the Church.
2. Against peril of Idolatry. 3. Of repairing and keeping clean of Churches. 4. Of

XXXV. *Of the Book of Prayers and Ceremonies of the Church of England.*

The book which of very late time was given to the Church of England, by the king's authority and the parliament, containing the manner and form of praying and ministering the Sacraments in the Church of England; likewise also the book of ordering ministers of the Church, set forth by the aforesaid authority, are godly, and in no point repugnant to the wholesome doctrine of the Gospel, but agreeable thereunto, furthering and beautifying the same not a little. And therefore, of all faithful members of the Church of England, and chiefly of the ministers of the Word, they ought to be received and allowed with all readiness of mind and thanksgiving, and to be commended to the people of God.

XXXVI. *Of Civil Magistrates.*

The king of England is supreme head in earth, next under Christ, of the Church of England and Ireland.

The bishop of Rome hath no jurisdiction in this realm of England.

The civil magistrate is ordained and allowed of God, wherefore we must obey him, not only for fear of punishment, but also for conscience sake.

The civil laws may punish Christian men with death for heinous and grievous offences.

It is lawful for Christians, at the commandment of the magistrate, to wear weapons, and serve in lawful wars.

XXXVII. *Christian Men's Goods are not common.*

The riches and goods of Christians are not common, as touching the right, title, and possession of the same, as certain Anabaptists do falsely boast. Notwithstanding every man ought, of such things as he possesseth, liberally to give alms to the poor according to his ability.

good Works, first of Fasting. 5. Against Gluttony and Drunkenness. 6. Against excess of Apparel. 7. Of Prayer. 8. Of the place and time of Prayer. 9. That Common Prayer and Sacraments ought to be ministered in a known tongue. 10. Of the reverend Estimation of God's Word. 11. Of Alms doing. 12. Of the Nativity of Christ. 13. Of the Passion of Christ. 14. Of the Resurrection of Christ. 15. Of the worthy receiving of the Sacrament of the Body and Blood of Christ. 16. Of the Gifts of the Holy Ghost. 17. For the Rogation Days. 18. Of the State of Matrimony. 19. Of Repentance. 20. Against Idleness. 21. Against Rebellion.

XXXVIII. *Christian Men may take an Oath.*

As we confess, that vain and rash swearing is forbidden Christian men, by our Lord Jesu Christ and his Apostle James ; so we judge that Christian religion doth not prohibit, but that a man may swear when the magistrate requireth, in a cause of faith and charity, so it be done according to the prophet's teaching, in justice, judgment, and truth.

XXXIX. *The Resurrection of the Dead is not yet brought to pass.*

The resurrection of the dead is not as yet brought to pass, as though it only belonged to the soul, which by the grace of Christ is called from the death of sin, but it is to be looked for at the last day. For then (as Scripture doth most manifestly testify) to all that be dead, their own bodies, flesh and bone shall be restored, that the whole man may, according to his works, have either reward or punishment, as he hath lived virtuously or wickedly.

XL. *The Souls of them that depart this Life, do neither die with the Bodies, nor sleep idly.*

79.

They which say, that the souls of such as depart hence do sleep, being without all sense, feeling, or perceiving until the day of judgment ; or affirm, that the souls die with the bodies, and at the last day shall be raised up with the same, do utterly dissent from the right belief, declared to us in the holy Scripture.

XLI. *Heretics called Millenarii.*

They that go about to renew the fable of the heretics called Millenarii, be repugnant to Holy Scripture, and cast themselves headlong into a Jewish dotage.

XLII. *All Men shall not be saved at the length.*

They also are worthy of condemnation who endeavour at this time to restore the dangerous opinion, that all men, be they never so ungodly, shall at length be saved, when they have suffered pains for their sins a certain time appointed by God's justice.

The end of the Articles.

Imprinted by John Day, 1553.

More Differences of the Articles passed in 1552, from those afterwards agreed in both Houses of Convocation in 1562, with respect to the additions or omissions.

The Articles of 1552 altered by additions or omissions by the Convocation in 1562. Sparrow's Collections, &c.

[The numbers refer to the articles made in the reign of king Edward VI.]

V. *The Doctrine of the Holy Scripture is sufficient to Salvation.*

—So that whatsoever is not read therein, nor may be proved thereby, *although sometimes it may be admitted by God's faithful people as pious, and conducing unto order and decency.* —[These words in a different character are left out.]

In the name of the Holy Scripture we do understand those canonical books of the Old and New Testament, of whose authority was never any doubt in the Church: that is to say, Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Ruth, 1st of Samuel, 2nd of Samuel, the 1st book of Kings, the 2nd book of Kings, the 1st book of Chronicles, the 2nd book of Chronicles, the 1st book of Esdras, the 2nd book of Esdras, the book of Esther, the book of Job, the Psalms, the Proverbs, Ecclesiastes or Preacher, Canticles or Songs of Solomon, four Prophets the greater, twelve Prophets the less. And the other books (as Hierome saith) the Church doth read for example of life and instruction of manners, but yet doth not apply them to establish any doctrine. Such are these following: the 3rd of Esdras, the 4th of Esdras, the book of Tobias, the book of Judith, the rest of the book of Esther, the book of Wisdom, Jesus the son of Sirach, Baruch the Prophet, the Song of the Three Children, the Story of Susanna, of Bell and the Dragon, the Prayer of Manasses, the 1st book of Maccabees, the 2nd book of Maccabees. All the books of the New Testament, as they are commonly received, we do receive and account them canonical.

VI. *The Old Testament is not to be refused.*

Although the Law given from God by Moses, as touching ceremonies and rites, do not bind Christian men, nor the civil precepts thereof ought of necessity to be received in any commonwealth; yet notwithstanding no Christian man whatsoever is free from the obedience of the commandments which are called moral.

VII. *The three Creeds.*VIII. *Of Original Sin.*

Omitted. And as at this day is affirmed by some Anabaptists.

IX. *Of Free-will.*

Added. The condition of man, after the fall of Adam, is such, that he cannot turn and prepare himself by his own natural strength and good works to faith and calling upon God.

X. *Of Grace.*

Omitted. All left out.

XI. *Of the Justification of Man.*

Added. We are accounted righteous before God only for the merits of our Lord and Saviour Jesus Christ, by faith, and not for our own works and deserving.

Of Good Works.

Added. Albeit that good works, which are the fruits of faith, and follow after justification, cannot put away our sins, and endure the severity of God's judgment, yet are they pleasing and acceptable to God in Christ, and do spring out necessarily of a true and lively faith, insomuch that by them a lively faith may be as evidently known as a tree discerned by the fruit.

XXI. *Of the Authority of the Church.*

Added. The Church has power to decree rites or ceremonies, and authority in controversies of faith.

XXV. *All things to be done in the Congregation in such a Tongue as is understood by the People.*

Altered and added. It is a thing plainly repugnant to the Word of God and the custom of the primitive Church, to have public prayers in the Church, or to minister the sacrament, in a tongue not understood by the people.

XXVI. *Of the Sacraments.*

Added. There are two sacraments ordained of Christ our Lord in the Gospel: that is to say, baptism, and the supper of the Lord. Those five, commonly called sacraments,—that is to say, con-

firmation, penance, orders, matrimony, and extreme unction, —are not to be accounted for sacraments of the Gospel, being such as are grown partly of the corrupt following of the apostles, partly are states of life allowed in the Scriptures; but yet have not like nature of sacraments with baptism and the Lord's supper, for that they have not any visible sign or ceremony ordained of God.—And in such only as worthily receive them, *Altered and omitted.* they have an wholesome effect or operation.

XXVIII. *Of Baptism.*

The baptism of young children is in any wise to be retained *Added.* in the Church, “as most agreeable to the institution of Christ.”

XXIX. *Of the Lord's Supper.*

Transubstantiation overthrows the nature of the sacrament, &c.

The body of Christ is given, taken, and eaten in the supper *Added.* only after a heavenly and spiritual manner; and the mean whereby the body of Christ is received and eaten in the supper is faith.

“Forasmuch as the truth of man's nature requires,” &c., to the end of the paragraph, is left out in the 28th article of 1562.

The two following articles are not amongst those published in the reign of king Edward, but make the 29th and 30th, afterwards passed in the year 1562. The title of the 29th stands thus:—

Of the Wicked which eat not the Body of Christ in the Lord's Supper.

“The wicked, and such as be void of a lively faith, although they do carnally and visibly press with their teeth (as St. Augustine saith) the sacrament of the body and blood of Christ, yet in no wise are they partakers of Christ; but rather, to their condemnation, do eat and drink the sign or sacrament of so great a thing.”

The title of the 30th is,—

80.

Of both Kinds.

“The cup of the Lord is not to be denied to lay-people: for

both parts of the Lord's sacrament, by Christ's ordinance and commandment, ought to be ministered to all Christian men alike."

XXXIII. *Of the Tradition of the Church.*

Added.

Every particular or national Church has authority to ordain, change, and abolish ceremonies or rites of the Church ordained only by men's authority, so that all things be done to edifying.

XXXV. *Of the Book of Prayers and Ceremonies of the Church of England.*

Altered and added.

The book of consecration of archbishops and bishops, and ordering priests and deacons, lately set forth in the time of king Edward VI., and confirmed at the same time by authority of parliament, doth contain all things necessary to such consecration and ordering. Neither hath it any thing that of itself is superstitious and ungodly; and therefore whosoever are consecrated or ordered, according to the rites of that book, since the second year of the afore-named king Edward, unto this time, or hereafter shall be consecrated or ordered according to the same rites, we decree all such to be rightly, orderly, and lawfully consecrated and ordered.

XXXVI. *Of the Civil Magistrate.*

The queen's majesty hath the chief power in this realm of England and other her dominions, unto whom the chief government of all estates of this realm, whether they be ecclesiastical, or civil, in all causes, does appertain; and is not, nor ought to be, subject to any foreign jurisdiction.

Added.

Where we attribute to the queen's majesty the chief government,—by which titles we understand the minds of some dangerous folks to be offended,—we give not our princes the ministering either of God's Word or the sacraments; the which thing the Injunctions, also set forth by Elizabeth our queen, do most plainly testify. But that only prerogative which we see to have been given always to all godly princes, in Holy Scriptures, by God himself,—that is, that they should rule all estates and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn and evil doers.

The 39th, 40th, 41st, and 42nd articles are all omitted in the articles passed in convocation A. D. 1562.

LXVII.

An Account of some of the Alienations of Church Lands in the reign of King Henry VIII. and King Edward VI. not mentioned in the History.

Alienations of Church Lands from the See of Canterbury in the reign of King Henry VIII.

(1) The manor and palace of Maidstone, which, as Leland observes, was formerly a castle; (2) the manor and palace of Charing; (3) Wingham; (4) Wingham Barton, in the parish of Alresford, demised at the king's instance to sir Edward Bainton for ninety-nine years; (5) Wrotham; (6) Saltwood, which was formerly a castle,—it was called an honour, and had a great many manors held of it by knight-service; (7) Tenham; (8) Bexley; (9) Aldington, where the archbishop had a seat, with a park and chase belonging to it; (10) the noble manor and palace of Otford, where Warham expended more than thirty thousand pounds in buildings; (11) Knoll, near Sevenock, a seat not much inferior to that last mentioned; to which we may add, the manors of Cliff and Malinden, Pynner, Heyes, Harrow, Mortlake, &c. These manors, excepting Wingham Barton, were all conveyed to the king, for which the archbishop had a very slender consideration in exchange.

December 1.
29 Hen. 8.
Strype's
Memorials
of Archbp.
Cranmer,
from Phil-
pot and
Kilbern,
p. 281, 282.

Alienations of Church Lands in the reign of King Edward VI.

The learned Harmer, speaking of Vesey, bishop of Exeter, observes, that he alienated no possessions of his see but upon express command of the king, directed unto him under the privy-seal in favour of certain noblemen and courtiers. All the bishops, as this author continues, at this time were subjected to a like calamity. Even Cranmer was forced to part with the better half of the possessions of his see: and Ridley, soon after his entry into London, was forced to give away four of the best manors of his see in one day. These two were the greatest favourites amongst all the bishops of that reign. Others were yet more severely dealt with. The common pretence was to exchange some lands of their bishoprics with

Harmer's
Specimen of
some Errors
and Defects
in the History
of the
Reformation,
p. 100.

other of religious houses remaining in the king's hands since their suppression. Even then it was such an exchange as Glaucus made with Diomedes.

An Account of Church Lands alienated in the reign of King Edward VI., extracted from the Register of Thomas Gooderrick, Bishop of Ely, and Lord Chancellor. Ex Biblioth. R. Harley, Armig.

A patent granted for exchange of lands *per Bill. Dom. Regis* to the right reverend father in God, William, lord bishop of Bath and Wells, viz. The bishop was to part with the chief mansion-house of the deanery of Wells, with all the lands within the precinct of the same. And also the manor of Westaker with the right of the patronage of the parsonage of Westaker abovesaid: and the borough of Wellington and Staecksy in same county of Somerset, and the demesne lands of Wellington, extending to the yearly value of sixty pounds two shillings and six pence; and also of the park of Wedmore: and for one annuity of sixteen pounds coming yearly of the manor of Glassenbury in the same county.

For the parting with these lands, &c. the bishop was only to have some lands which had been lately taken from his see, and granted to the lord admiral Seymour, and now by his attainer returned to the crown. This exchange was made August 1st, 1552.

Nov. 1,
1552.

A patent granted to license the lord bishop of Carlisle to sell to the lord Clinton, lord admiral of England, "*Socam sive dominium suum de Horn-castle cum omnibus pertinentiis in com. Lincoln, in villis, campis, sive parochiis de Horn-castle, Overcompton, Nethercompton, Ashby, Maring, Wilesby, Haltham, Conisby, Boughton, Fimbleby, Moreby, Meckham, et Innerby in Com. prædict.*" to have the same to him and his heirs "*tenend. de domino rege,*" &c. There was likewise a license granted to the dean and chapter to confirm the said conveyance. And for all these lordships the purchaser was only to pay the yearly rent of twenty-eight pounds to the bishop.

81.

Jan. 9,
1552.

A patent granted to sir Henry Nevil, knight, of the prebend of Southcave, in the county of York, with some advowsons.

March 28,
1553.

The bishoprick of Hereford given to John Harley, doctor in divinity, with all the lordships and manors belonging to the

same, excepting the mansion called the bishop of Hereford's place, lying in Old Fish-street, with the garden and houses belonging to the same.

A purchase made by Simon Steward, of Lackingheath, in the county of Suffolk, gentleman, of the lordship and manor of Thorney, with the grains of Thorney, within the isle of Ely, sometime parcel of the monastery of Ely. March, 1553.

A gift made unto John earl of Bedford, and Edmund Down- ing, gentleman, of the manors of Boyden, and Barton, and Bradbridge, with the appurtenances in the county of Cornwall, and of the manor of Stoke and Bradley, late parcel of the bishopric of Worcester. June 29, 1553.

A license granted by privy seal to Mr. Hobbey, to infeoffe the lord bishop of Worcester, and Mr. Blunt, of the privy chamber, in the abbey of Evesham, and divers other manors in the county of Gloucester, to the intent to make an estate to him again, and to his heirs male. April, 1553.

A purchase made by William Dunch and Mary his wife, of the manor and lordship of Wokey, with the appurtenances in the county of Somerset, late parcel of the bishopric of Bath and Wells, lately in the hands of Edward duke of Somerset, "cum nativis et villanis," &c. April 16, 1553.

A purchase made by Richard Crammond and Roger Pri- deaux, of all the manor of Billingtons, Pinchpoles, and Eleenam Cross, late parcel of the possession of the cathedral church of Westminster, in the county of Middlesex. May 2, 1553.

Memorandum: That upon the eighteenth of September, the fifth year of the reign of our sovereign king Edward VI., sir Richard Read, knight, one of the masters of the Chancery, brought from Winchester, from the bishop, dean, and chapter, a deed of *feoffment quadripartite* indented, made to his majesty, his heirs, and assigns, of the manors of Marden, Twiford, Mar- well, Waltham, Drokensfield, Brensted, and Bithern, the hundred of Waltham, and the chase nigh the forest of Beir, in the counties of Southampton and Surrey; and also the manors of Sutton, Ropely, Hedley, and the borough of Alsfoord, the hundred of Sutton in the counties of Southampton and Surrey, together with twenty-nine manors more, and some boroughs and hundreds. To proceed to the words of the council. Sept. 18, 1551.
Council Book.
Ex Biblioth.
R. Harley,
Armig.

These deeds were agreed to be ordered as follows: viz., that

one counterpane thereof should be delivered to the chancellor of the augmentation court, to remain among the records of the same court, as the king's majesty's evidences for the lands aforesaid; and the other three counterpanes to be delivered,—the one to sir John Gates, his majesty's vice-chamberlain, the other to sir Philip Hobby, knight, one of his majesty's privy-council, and the third to sir Andrew Dudley, knight, one of his majesty's privy-chamber: to whom the king's majesty hath granted severally some of the said lands.

Before this surrender, the dean of Winchester had been committed to the Marshalsea; I suppose to make him manageable.

April 12,
1553.
Council
Book.

A letter to the chancellor of the Augmentations, to cause a book to be made from the bishop of Worcester and Gloucester, of a surrender to the king's majesty of his jurisdiction in the forest of Dean, with a certain deanery which belongs of right to the bishopric of Hereford. And thereupon to make another book of the grant thereof from his highness to Mr. Harley, elect, bishop of Hereford.

LXVIII.

Queen Mary's Proclamation for prohibiting preaching and expounding Scripture without her License.

August 18,
A.D. 1553.

The queen's highness well remembering what great inconvenience and dangers have grown to this her realm in times past, through the diversities of opinions in questions of religion; and hearing also that now of late, sithence the beginning of her most gracious reign, the same contentions be again much revived, through certain false and untrue reports, and rumours spread by some evil-disposed persons: hath thought good to give to understand to all her highness's most loving subjects, her most gracious pleasure in manner following.

First. Her majesty being presently, by the only goodness of God, settled in her just possession of the imperial crown of this realm, and other dominions thereunto belonging, cannot now hide that religion, which God and the world knoweth she hath ever professed from her infancy hitherto. Which as her majesty is minded to observe and maintain for herself by God's grace, during her time; so doth her highness much desire, and

would be glad the same were of all her subjects quietly and charitably entertained.

And yet she doth signify unto all her majesty's loving subjects, that of her most gracious disposition and clemency, her highness mindeth not to compel any her said subjects thereunto, until such time as further order by common assent may be taken therein ; forbidding, nevertheless, all her subjects, of all degrees, at their perils, to move seditions, or stir unquietness in her people, by interpreting the laws of this realm after their brains and fantasies, but quietly to continue for the time, till (as before is said) further order may be taken, and therefore willeth, and straitly chargeth and commandeth all her good loving subjects to live together in quiet sort, and Christian charity, leaving those new found devilish terms of papist, and heretic, and such like ; and applying their whole care, study, and travail, to live in the fear of God, exercising their conversations in such charitable and godly doing, as their lives may indeed express the great hunger and thirst of God's glory, which by rash talk and words many have pretended. And in so doing they shall best please God, and live without danger of the laws, and maintain the tranquillity of the realm. Whereof as her highness shall be most glad, so if any man shall rashly presume to make any assemblies of people, or at any public assemblies, or otherwise, shall go about to stir the people to disorder or disquiet, she mindeth, according to her duty, to see the same most severely reformed and punished according to her highness's laws.

And furthermore, forasmuch as it is well known that sedition and false rumours have been nourished and maintained in this realm, by the subtlety and malice of some evil-disposed persons, which take upon them, without sufficient authority, to preach and to interpret the Word of God after their own brains, in churches and other places, both public and private, and also by playing of interludes, and printing of false fond books and ballads, rhymes, and other lewd treatises in the English tongue, containing doctrine in matters now in question, and controversies touching the high points and mysteries in Christian religion ; which books, ballads, rhymes, and treatises, are chiefly by the printers and stationers set out to sale to her grace's subjects of an evil zeal for lucre, and covetousness of vile gain. Her highness therefore straitly chargeth

and commandeth all and every of her said subjects, of whatsoever state, condition, or degree they be, that none of them presume from henceforth to preach, or, by way of reading in churches, or other public or private places, except in schools of the university, to interpret or teach any Scriptures, or any manner of points of doctrine concerning religion; neither also to print any book, matter, ballad, rhyme, interlude, process, or treatise, nor to play any interlude, except they have her grace's special license in writing for the same, upon pain to incur her highness's indignation and displeasure.

Num. LXVIII. repeated.

A Form of a License to preach granted by Queen Mary.

Regist.
Bonner,
fol. 346.

Maria, &c. . . . supremum caput, dilecto subdito nostro A. B. Sacræ Theologiæ Baccalaurio, salutem. Literarum scientia, morum honestas, ac alia probitatis et virtutum merita, super quibus apud nos fide digno commendaris testimonio, merito nos inducunt ut personam tuam favore benigno prosequamur. Ad prædicandum igitur et exponendum Verbum Dei publice sermone Latino vel vulgari, clero vel populo, in quibuscunque ecclesiis ac aliis locis ad hoc congruis et honestis, quibuscunque infra regna nostra, &c. situatis; tibi, quamdiu nobis placuerit et laudabiliter te gesseris, in hac parte licentiam tenore præsentium impartimur, et plenam in Domino concedimus potestatem, constitutionibus, legibus et statutis, aliisque in contrarium editis non obstantibus quibuscunque.

In cujus rei testimonium has literas fieri fecimus patentes.

Teste meipsa apud West. vicesimo die Novembris anno regni nostri primo.

Per Cancell. virtute Warranti Reginæ.

Num. LXVIII. farther repeated.

The Opinion of Philips, Haddon, Cheney, and Philpot, Members of the Convocation, concerning the Presence of our Saviour in the Holy Eucharist.

Sententia Walteri Philippi Decani Roffensis.

October,
A.D. 1553.
Convocation
Journal,
fol. 63.

In pane et vino consecrato fideles vere et realiter et substantialiter fide cordis manducant verum corpus Christi, quod

sedet ad dextram Dei Patris, et ore manducant Sacramentum corporis Christi.

Sententia Jac. Haddon Decani Exon.

Corpus Christi realiter adest Sacramentis corporis et sanguinis ~~sui~~ vere et ex Christi institutione administratis.

Intellige realiter pro vere et non fiete, sacramentaliter non autem carnaliter.

Sententia Ri. Cheney Archidiaconi Heref.

In Sacramento altaris virtute verbi divini a sacerdote prolati, præsens est realiter corpus Christi conceptum de Virgine Maria.

Item, naturalis ejusdem sanguis.

Sententia Joh. Philpott Archidiaconi Winton.

Dico per sacra coenæ Dominicæ symbola ex institutione Evangelica administrata, vere exhiberi per Spiritum Sanctum corpus et sanguinem Christi summentibus ex fide: adeoque illud ipsum corpus et sanguinem in quibus omnem obedientiam Christus pro salute nostra adimplevit, quo primum cum eo in unum corpus coalescamus, et in bonorum omnium participatione virtutem quoque ejus sentiamus.

LXIX.

Articuli Ministrati Presbyteris conjugatis, mense Martio, 1554.

Imprimis, an fuerit religiosus, cujus ordinis, et in quo Harmer's Specimen, &c. p. 178. monasterio sive domo?

Item, an fuerit promotus ad sacros ordines dum erat in monasterio?

Item, in quo et quibus sacris et an ministravit in altaris ministerio, et quot annis?

Item, an citra professionem suam regularem conjunxit se mulieri sub appellatione matrimonii?

Item, cum qua, et in qua ecclesia fuit matrimonii solemnizatio, et per quem?

Item, quam duxit, erat resoluta an vidua?

Item, an cohabitavit cum ea in una et eadem domo, ut vir cum uxore?

Item, an prolem vel proles ex ea suscitaverit? necne?

Item, an post et citra matrimonii hujusmodi solemnizationem assequutus fuit, et est beneficium ecclesiasticum habens curam animarum, et quot annis illud obtinuit?

Item, an officio sacerdotis post et citra assertum matrimonium hujusmodi contractum in altaris ministerio se immiscuit, ac Sacramentis, ac sacramentalibus ministrandis se ingressit?

Item, an præmissa omnia et singula fuerunt et sunt vera?

LXXI.

Archbishop Cranmer's Answer to the three Articles given him by the Committee at Oxford.

Responsio Domini Cranmeri ad Articulos supra recitados in scriptis exhibita, et per eum subscripta.

Ex MSS.
penes me.

83.

Dominus et Servator noster Jesus Christus in sancta parasceve nostra causa obiturus ut nos a morte redimeret æterna, condonaret omnia delicta, ac chirographum quod contra nos erat deleteret, ne mortis suæ ingrati unquam oblivisceremur, perpetuam illius memoriam apud Christianos in pane et vino celebrandam pridie passionis in sacratissima sua instituebat cœna, juxta illud, Hoc facite in mei memoriam, et quotiescunque manducabitis panem hunc, et calicem bibetis, mortem Domini annuntiabitis donec veniat. Atque hanc passionis suæ, id est, cæsi corporis et fusi sanguinis in pane et vino memoriam sive Sacramentum omnes Christianos jussit sumere, juxta illud, Accipite, et manducate, et bibite ex hoc omnes. Quicumque igitur propter traditionem humanam laicis sanguinis poculum denegant, palam Christo repugnant, prohibentes fieri quod Christus fieri jussit, et similes sunt scribis illis ac Pharisæis de quibus Dominus dicebat, Irritum fecistis mandatum Dei propter traditionem vestram. Hypocritæ, bene prophetavit de vobis Esaias, dicens, Populus hic labiis me honorat, cor autem eorum longe est a me. Sine causa autem colunt me, docentes doctrinas mandata hominum. Panis ille Sacramentalis seu mysticus fractus et distributus juxta Christi institutionem, et vinum mysticum eodem modo haustum et acceptum, non tantum Sacramenta sunt vulneratæ pro nobis carnis Christi, et fusi cruoris, sed certissima sunt nobis Sacramenta, et quasi signacula divinarum promissionum, ac donorum; ut communionis nostræ cum Christo ac omnibus membris ejus, cœlestis nutritionis, qua

alimur ad vitam æternam, æstuantisque conscientiæ sitis restinguitur; ineffabilis lætitiæ, qua fidelium corda perfunduntur, et ad omnia pietatis officia roborantur. Unus panis, inquit Paulus, et unum corpus multi sumus omnes qui de uno pane et de uno calice participamus. Et, Manducate, inquit Christus, hoc est corpus meum; bibite, hic est sanguis meus. Et, Ego sum panis vivus, qui de cælo descendi; qui manducat me, et ipse vivet propter me: manent igitur in Eucharistia, donec a fidelibus consumantur, verus panis verumque vinum: ut quasi signacula divinis promissionibus affixa, divinorum donorum nos efficiant certiores. Manet et Christus in illis, et illi in Christo, qui illius carnem edunt, et sanguinem bibunt, sicut Christus promisit, Qui manducat meam carnem, et bibit meum sanguinem in me manet, et ego in eo. Manet denique et Christus in illis qui digne externum Sacramentum suscipiunt, et non discedit statim consumpto Sacramento, sed continuo manet nos, pascens et nutriens quandiu nos illius capitis corpora manemus et membra. Nullum agnosco corpus naturale Christi, quod solum spirituale sit, intellectuale et insensibile, quod nullis membris aut partibus sit distinctum: sed illud tantum corpus agnosco ac veneror quod ex Virgine natum est, quod pro nobis passum est, quod visibile, palpabile, ac omnibus humani ac organici corporis formis ac partibus absolutum est. Christus non de substantia aliqua incerta, sed de substantia certa panis, quem et manibus tenebat, et discipulorum oculis demonstrabat, dixit, Comedite, hoc est corpus meum; et similiter de vero vino dixit, Hic est sanguis meus. Nimirum de pane qui est creatura hujus conditionis, quæ est secundum nos, qui ex fructibus terræ acceptus est, de multorum granorum adunitione congestus, qui ab hominibus fit, et per manus hominum ad illam visibilem speciem perducitur, qui rotundæ est figuræ, sensusque omnis expers, qui corpus nutrit, et confortat cor hominis, de tali inquam pane, non de substantia incerta et vaga, aiunt veteres Christum dixisse, Comedite, hoc est corpus meum; perinde ac de vino quod est creatura vitis, fructus vitis, de botris atque acinis plurimis expressa, et lætificat cor hominis, dicebat Christus, Bibite, hic est sanguis meus. Adeoque Christi locutionem vocant veteres figuratam, tropicam, anagogicam, allegoricam, quod ita interpretati sunt, ut quamvis panis vinique substantia maneat, et a fidelibus sumatur, Christus tamen ideo appellationem mutavit, et panem

quidem carnis, vinum vero sanguinis nomine appellavit, non rei veritate, sed significante mysterio, ut non quid sint, sed quæ ostendant consideraremus, non carnaliter, sed spiritualiter Sacramenta intelligeremus, non ad visibilem Sacramentorum naturam attenderemus, non humiliter ad panem et poculum intenti essemus, non putaremus nos nihil quam quod oculis objicitur panem et vinum videre, sed exaltatis mentibus Christi corpus et sanguinem aspicere fide, mente contingeremus, atque interiore homine hauriremus, ut aquilæ in hac vita facti ad ipsum cælum sursum cordibus evolemus, ubi ad dexteram Patris residet Agnus ille qui tollit peccata mundi, cujus livore sanamur, cujus passione in hac mensa satiamur, cujus sanguinem e divino illius latere haurientes æternum vivimus, Christi-que hospites effecti ipsum in nobis veræ naturæ gratia virtute-que, ac totius passionis efficacia, habitantem habemus: nec minus certi efficimur Christi carne crucifixæ, et fuso cruore, necessario animarum pabulo nos spiritualiter pasci ad vitam æternam quam cibo et potu in hac vita corpora pascuntur. Atque hujus rei *μνημόσυνον*, pignus, symbolum, sacramentum, signaculum nobis sunt mysticus in Christi mensa panis, mysticumque vinum, juxta Christi institutionem administrata et accepta. Hinc est quod Christus non dixit, Hoc est corpus meum, edite; sed ubi jussisset edere, postea addidit, Hoc est corpus meum, quod pro vobis tradetur. Quod perinde est, ac si dixisset, In edendo hoc pane, considerate illum non communem esse, sed mysticum; non aspiciate quod corporeis oculis vestris proponitur, sed quid intus vos pascat. Considerate corpus meum pro vobis cruci affixum. Hoc animis vestris devorate, satiemini morte mea. Hic verus est cibus, hic inebrians potus, quo vere saturati et inebriati æternum vivetis. Quæ ab oculo vobis proponuntur panis et vinum mei duntaxat symbola sunt, ego vero ipse æternus pastus sum. Proinde cum in mensa mea Sacramenta aspicietis, non tam ad illa respicite, quam quid per ea vobis pollicear, nempe me ipsum pabulum vitæ æternæ. Christi unica oblatio, qua seipsum Deo Patri obtulit, in mortem semel in ara crucis pro nostra redemptione, tantæ fuit efficacæ, ut nullo alio sacrificio opus sit, pro totius mundi redemptione. Sed omnia veteris legis sacrificia sustulit, id re vera præstans, quod illa figurabant et promittebant. Quisquis igitur salutis suæ spem in ullo alio constituerit sacrificio, is a Christi excidit gratia, et contume-

liosus est in sanctum Christi sanguinem. Ipse enim vulneratus est propter iniquitates nostras, attritus est propter scelera nostra. Omnes nos, quasi oves, erravimus, unusquisque in viam suam declinavit, et posuit Dominus in eo iniquitates omnium nostrorum. Ille enim non per sanguinem hircorum aut vitulorum, sed per proprium sanguinem introivit, semel in sancta, æterna redemptione inventa, et in ipsum cælum intravit, ut appareret nunc vultui Dei pro nobis, non ut sæpe offerat seipsum, alioquin oportebat eum frequenter pati. Nunc autem semel ad destructionem peccati, per hostiam suam apparuit. Et quemadmodum constitutum est hominibus semel mori, sic et Christus semel oblatus est. Ille unam offerens pro peccatis hostiam in sempiternum sedet in dextra Dei. Una enim oblatione consummavit in sempiternum sanctificatos. Ubi enim peccatorum remissio est, jam non est amplius oblatio pro peccato : propter hoc Christi sacrificium quisquis aliud quæsierit pro peccatis, sacrificium propitians, invalidum et inefficax efficit Christi sacrificium : si enim hoc ad remittenda peccata sufficiens est, alio non est opus. Alterius enim necessitas hujus arguit infirmitatem ac insufficientiam. Faxit Deus Omnipotens ut uni Christi sacrificio vere innitatur, ac illi rursus rependamus sacrificia nostra, gratiarum actionis, laudis, confessionis nominis sui, veræ resipiscentiæ, ac poenitentiae, beneficentiæ in proximos, aliorumque omnium pietatis officiorum. Talibus enim sacrificiis exhibebimus nos nec in Deum ingratos, nec Christi sacrificio indignos. Ecce habetis ex sacrarum Scripturarum et veterum Ecclesiæ doctorum sententia, verum et sincerum Dominicæ cenæ usum, ac veri sacrificii Christi fructum. Quæ quisquis tortis interpretationibus aut humanis traditionibus aliter quam Christus ordinavit mutare aut transsubstantiare voluerit, ipse respondebit Christo in novissimo die, quando intelliget, sed sero nimis, nihil sibi cum Christi corpore esse et sanguine ; sed ex æternæ vitæ cena se æternam damnationem manducasse ac bibisse.

84.

THOMAS CRANMER.

Bishop Ridley's Answer to the same Questions.

Responsio Domini Nicholai Ridlei ad Articulos supradictos in scriptis lecta et exhibita, per eum subscripta.

In Sacramento altaris virtute Verbi divini a sacerdote prolati, præsens est realiter sub speciebus panis et vini naturale corpus Christi conceptum de Virgine Maria. Item, naturalis ejusdem sanguis. Respondeo, Non est humano aut sæculi sensu in Dei rebus loquendum. Prima itaque propositio vel conclusio formata est phrasi a sacra scriptura aliena, et multis ambiguis obscuritatibus obvoluta et implicata. In sensu autem quem docent scholastici, et hodie Romanensis Ecclesia defendit, falsa est et erronea, atque doctrinæ quæ est secundum pietatem plane contraria.

Explicatio.

Diversitas et novitas phraseos et quam sit a sacra sancta Scriptura aliena, in tota hac prima propositione, et singulis pene partibus, ita patet et evidens est, vel mediocriter versata in sacris libris, ut nihil necesse jam putem, in hoc cœtu doctorum virorum, in ea re demonstranda, aliquid temporis nisi id a me postea postulatum fuerit, collocare.

Ambiguitas est in verbis (Verbi divini virtute); ambiguum enim est quodnam sit istud divinum Verbum, illudne quod legitur in Evangeliiis, aut in Paulo aliquid aliud. Si quod est in Evangeliiis et in Paulo, quodnam illud sit? si non est ex illis, quomodo cognoscitur esse Verbum divinum, et tantæ virtutis ut hanc tantam rem efficere valeat.

Item, ambigitur de Verbo (a Sacerdote) an nullus sit dicendus Sacerdos nisi cui data sit potestas sacrificandi expiatorie pro vivis et mortuis? Et unde pateat hanc authoritatem esse a Deo ulli mortalium præterquam uni Christo commissam?

Dubitatur etiam secundum quem ordinem futurus sacrificans sacerdos sit: utrum secundum ordinem Aaron, an secundum ordinem Melchisedech? Nam plures ordines sacerdotii non probat, quod sciam, sacra Scriptura.

Item, in Verbo (realiter) ambiguum est an sumatur transcendenter, et sic potest hic signare quamcunque rem quæ ad corpus Christi quovis modo spectat, et sic concedimus corpus

Christi realiter esse in Sacramento cœnæ Dominicæ, sicut inter disputandum, si datur occasio, a nobis declarabitur, vel rem ipsam corpoream, animatam, quæ assumpta est in unitate personæ a Verbo Dei; secundum quam significationem, corpus Christi quum sit in coelis realiter, propter verum corporis modum, hic in terris esse dicendus non est.

Item in verbis, sub speciebus panis et vini, ambiguum est utrum per species significatas intelligant formas tantum accidentales, et exteriores panis et vini, an naturas eorundem substantiales suis qualitatibus visibiles, et externis sensibus perceptibiles. Falsitas autem propositionis in sensu Romanensis Ecclesiæ et scholasticorum hinc patere potest; illi enim ponunt panem transubstantiari in carnem assumptam a Verbo Dei, idque, ut aiunt, per virtutem ejus Verbi quod illi conceptis vocibus et syllabis formaverunt, quod in nullo reperiri potest Evangelistarum aut in Paulo: atque inde colligunt corpus Christi realiter contineri in Sacramento altaris. Quæ positio quoniam fundatur super fundamento transubstantiationis, quod est Sacramentum monstrosum, absurdum, et analogiæ Sacramentorum interemptivum, idcirco et hæc prima propositio, quæ super hoc putre fundamentum et vanum substruitur falsa est et erronea, et infami Sacramentariorum errori merito deputanda.

Responsionis jam datæ Confirmatio.

Non est statuendum dogma aliquod in Ecclesia Dei quod dissentiat a Verbo Dei, et ab analogia fidei, et quod secum trahit multas absurditates; sed dogma hoc primæ propositionis tale est, ergo non est statuendum in Ecclesia Dei. Major patet, minor probatur sic. Hoc dogma ponit realem, corporalem, et carnalem carnem Christi a Verbo assumptæ in Sacramento cœnæ Dominicæ præsentiam, idque non per virtutem et gratiam, quod et orthodoxi fatentur, sed quoad integram essentiam et substantiam corporis carnis Christi: sed talis præsentia dissentit a Verbo Dei, analogia fidei, et multas secum trahit absurditates necessario; ergo, major est manifesta, et minor adhuc probatur sic. Talis præsentia contraria est locis aliquot sacræ Scripturæ, dissentit ab articulis fidei, evacuat et tollit institutionem Domini de sua cœna, prostituit pretiosa profanis, projicit quod sanctum est canibus, projicit margaritas porcis, multa cogit monstrosa miracula

præter necessitatem et auctoritatem Verbi Dei ponere, ansam ponit hæreticis qua suos errores tueantur, qui non recte de duabus in Christo naturis sentiebant, fidem veritatis humanæ in Christo naturæ imminuit. Postremo falsificat dicta patrum orthodoxorum, falsificat et fidem Ecclesiæ Catholicam, quam Apostoli tradiderunt, martyres roboraverunt, et fideles, ut quidam ex patribus ait, usque nunc custodiunt. Ergo, minor est vera. Probatur antecedens hujus argumenti per partes; talis præsentia contraria est Verbo Dei. Johan. 16. "Veritatem dico vobis, expedit vobis ut ego vadam; si enim non abiero, Paracletus ad vos non veniet." Act. 3. "Quem oportet quidem cælum accipere, usque ad tempora restitutionis omnium quæ loquutus est Deus." Matth. 9. "Non possunt filii sponsi lugere, quamdiu cum illis est sponsus, sed hic est tempus luctus: beati qui lugent," &c. Joan. 16. "Iterum videbo vos, et gaudebit cor vestrum." Joan. 14. "Iterum veniam, et assumam vos ad meipsum." Matth. 24. "Si dixerint vobis, Ecce hic Christus aut illic, nolite credere;" et ibidem, "Ubicunque fuerit cadaver, ibi congregabuntur aquilæ." Dissentit ab articulis fidei, ascendit ad cælos, sedet ad dextram Dei Patris, inde, et non aliunde, ut inquit Augustinus, venturus est ad judicandum vivos et mortuos. Evacuat et tollit institutionem cœnæ Dominicæ, utpote quæ tantum jussa est tantisper continuari donec ipse venerit; si igitur nunc præsens est realiter in veritate corporis carnis, debet hæc cœna cessare. Commemoratio non est rei præsentis sed præteritæ et absentis; memoria et præsentia differunt; frustra ibi ponitur figura, inquit ex patribus quidam, ubi res figurata præsens est.

85.

Prostituit pretiosa profanis, et multa cogit absurda fateri. Assertit enim adulteros et homicidas, impenitentes (ut est quorundam apud istos opinio) impios et infideles mures et canes nostri corpus Domini nostri reale et corporale, in quo inhabitat plenitudo Spiritus, lucis, et gratiæ, contra manifesta verba, Joan. 6. in sex ibidem locis. Statuit ἀνθρωποφάγῳ et bestialem quandam crudelitatem, crudelius enim est hominem vivum comedere quam interimere.

Cogit multa monstrosa miracula præter necessitatem et auctoritatem Verbi Dei ponere. In adventu hujus præsentis corporis carnis Christi, substantiam panis extrudunt, ponunt accidentia sine subjecto, substituunt Christi corpus sine suis qualitatibus et vero corporis modo. Si Sacramentum tamdiu

servetur ut mucescat, et vermes in eo generentur, quidam dicunt substantiam miraculose redire, quidam negant, quidam corpus Christi dicunt in stomacho recipientis descendere, et ibi tamdiu manere donec species calore naturali consumantur. Quidam in bonis manere dicunt quamdiu permanent ipsi esse boni. Quidam tam cito Christi corpus in cœlum rapi dicunt quam cito species dentibus teruntur. O mirabiliarios ! Vere in istis impletum esse vereor quod prophetabat Paulus, pro eo quod dilectionem veritatis non receperunt in hoc ut salvi sint, mittet eis Deus efficaciam illusionis, ut credant mendacio ; ut judicentur omnes qui non crediderunt veritati, 2 Thess. 2.

Hæc præsentia commentum illud concomitantiae peperit, quæ sustulit hodie, et abrogavit præceptum Domini de communicando poculum Dominicum laicis. Ansam præbet hæreticis errandi, et suos errores defendendi, ut Marcioni qui dixit Christum habere corpus phantasticum, et Euticheti qui confundit ipse duas in Christo naturas. Postremo falsificat dicta patrum orthodox. et fidem Ecclesiæ catholicam, quam Vigilius martyr, et author gravis dixit esse traditam ab Apostolis, sanguine martyrum roboratam, et a fidelibus ad suam usque ætatem custoditam. Dicta patrum intelligo, Justini, Irenæi, Tertulliani, Origenis, Eusebii Emiseni, Athanasii, Cyrilli, Epiphanii, Hieronymi, Chrysostomi, Augustini, Vigili, Fulgentii, et Bertrami, quorum omnium atque aliorum vetustissimorum patrum loca in hanc sententiam scio me legisse, et librorum meorum copia mihi nunc concessa posse commonstrare, idque sub periculo capitis mei, et amissionis omnium quæ in hoc mundo amittere possumus.

Nolite putare, fratres, eo quod præsentiam corporis Christi quam hæc prima propositio ponit, improbavimus, utpote quam censemus esse commentitiam phantasticam, et præter auctoritatem Verbi Dei in Ecclesiam a Romanensibus perniciose introductam, propterea nos velle tollere veram istam præsentiam corporis Christi in sua cœna rite et legitime administrata, quæ est fundata in Verbo Dei, et patrum orthodoxorum commentariis illustratur ; qui de me ita sentiunt, Deus novit quam multum illi hallucinentur. Idque ut vobis planum et manifestum faciam declarabo paucissimis, quam ego veram cum Verbo Dei et priscis patribus statuo in Sacramento cœnæ Dominicæ, corporis Christi præsentiam. Cum Luca Evangelista et Paulo Apostolo dico panem in quo gratiæ actæ sint,

esse corpus Christi ad memoriam ipsius, et mortis ejus usque ad adventum ejus perpetuo a fidelibus celebrandam. Dico item panem quem frangimus esse communicationem corporis Christi. Cum orthodoxis patribus sic loquor, et sentio non solum significationem corporis Dominici fieri per Sacramentum suæ cœnæ, sed una cum illo exhiberi quoque fateor piis et fidelibus gratiam corporis Christi vitam, scilicet, atque æternitatis alimoniam, idque cum Cypriano. Manducamus vitam, bibimusque vitam, cum Augustino. Sentimus Dominum præsentem in gratiam, cum Emisseno. Recipimus cibum celestem et superne venientem, cum Athanasio. Proprietatem naturalis communionis, cum Hilario. Naturam carnis et benedictionem vivificam in pane et vino, cum Cyrillo, et cum eodem virtutem proprie carnis Christi, vitam et gratiam corporis unigeniti proprietatem, id est, ut Cyrillus ipse disertis verbis exponit, vitam. Fatemur nos cum Basilio mysticum Christi adventum. Gratiam veræ naturæ, atque veræ carnis Sacramentum, cum Ambrosio. Corpus per gratiam, cum Epiphanio. Carnem spirituales, sed aliam ab ea quæ crucifixa, cum Hieronimo. Gratiam influentem in sacrificium, et Spiritus gratiam, cum Chrysostomo. Gratiam, veritatem invisibilem, gratiam et societatem membrorum corporis Christi, cum Augustino. Postremo cum Bertramo, qui horum fuit omnium postremus, fatemur secundum id haberi in Sacramento cœnæ Dominicæ corpus Christi, videlicet, ut ille exponit, quod sit in eo Spiritus Christi, id est, divini potentia Verbi, quæ non solum animam pascit, verum etiam purgat, &c. Ex hiis opinor omnibus dilucide patere potest quam simus ab ea sententia alieni, qua nos falso quidam orbi traducere conantur, dicentes nos nihil aliud docere quam figuram corporis Christi in mensa Dominica, a piis et fidelibus recipiendam expectari oportere.

NICHOLAUS RIDLEY.

The Attestation of Cranmer and Ridley's Papers above-mentioned.

G. W.

Et ego Gulielmus White perpetuus socius beatæ Mariæ Winton. in Oxon. ac Winton. dioceseos publicus autoritate sufficienti notarius, actorum suprascriptorum ad tunc communi

consensu pariter et assensu totius Universitatis electus scriba ; quia præmissis omnibus et singulis, dum sic, ut præmittitur, coram præfato venerabili viro magistro Hugone Weston, sacre theologiæ professore, et sacre synodi London. prolocutore, et aliis commissionariis, viris doctissimis, sub annis Domini regnique reginæ mensibus diebus et locis supradictis agebantur et fiebant, una cum eodem venerabili viro prædicto et testibus fide dignis superius nominatis, omnibus et singulis disputationibus et hincinde allegationibus et doctoris Cranmeri, Ridlei, Latimeri responsionibus in scripta redactis, lectis subscriptis et exhibitis præsens personaliter interfui : eaque omnia singula sic fieri vidi, sciivi, et audiui, idcirco hoc præsens publicum instrumentum totum et integrum processum inter commissionarios prædictos, et doctorem Cranmerum, Ridleum, et Latimerum habitum et factum, complectens, et per omnia cum originali concordans, manu aliena (me interim aliunde legitime impedito) fideliter scriptum exinde confeci, scripsi, et publicavi, atque in hanc publicam et authenticam formam redegi. Signoque, nomine, et cognomine, et subscriptione meis solitis et consuetis signavi in fidem et testimonium omnium præmissorum specialiter rogatus et requisitus.

LXXII.

86.

Articles concerning Archdeacons, their Officials, and Ministers.

An. 1554.

First. Whether they and every of them have executed and done his office in all points according to the order of the law and ecclesiastical constitutions and laudable customs of the Church ?

Bonner,
Regist.
fol. 367.

Item. Whether the said archdeacons have faithfully and profitably visited all the Churches within their archdeaconries, enquiring diligently how divine service in all points has been celebrated and said, the Sacraments and sacramentals ministered, and how the ornaments of the Church have been kept, and what lack has been there of them, or what fault has been in them ; and generally of all things spiritual and temporal, appertaining to the good order of their archdeaconries and the said Churches, correcting and punishing diligently and faithfully all such offences, transgressions, and crimes, as appertains to the worthy punishment and reformation ?

Item. Whether the said archdeacons, their officials, and ministers at all times, and in all cases, have faithfully, truly, and diligently put in execution all and every such commissions and commandments, which they, or any of them, have at any time received from the bishop, their ordinary, and certified the same accordingly ?

Item. Whether the said archdeacons do grieve and charge the said Churches with superfluous expences and charges, or do exact procurations when they do visit, or do not behave themselves discreetly, modestly, and temperately in the number and quality of such as they bring with them to the visitation ?

Item. Whether the said archdeacons do receive money, either not to visit, to reform, not to correct, punish, and amend offences and faults, or do make unjust and unlawful process against any man, to extort thereby any money or reward of him, or do receive by himself or others, any money or reward for any notorious offence or crime done by the offender thereof ?

Item. Whether the said archdeacons be frequent and oft in the assemblies or chapters observed and kept in several and particular deaneries rural, and whether that in the same they do diligently instruct and teach the priests and curates, especially amongst other things, to live virtuously, honestly, and well, and to understand and know perfectly the words of the canon of the mass, and the form and order of Sacraments, especially of Baptism, and chiefly in those words and things which are of the substance of the Sacrament in any wise ?

Item. Whether the said archdeacons do observe and keep certain ecclesiastical laws and customs, especially set forth by Otho and Othobon, concerning ecclesiastical persons that do keep concubines against the order of the said laws and customs ; and whether the said archdeacons do enquire and proceed according to the said customs ; whereof the one begins, "*Licet ad profugandum,*" &c. and the other begins, "*Quam indecorum,*" &c.

Item. Whether the said archdeacons, and other ecclesiastical persons, especially being in holy orders and beneficed, do observe and keep the tenor, form, and effect of the chapter, "*Exterior habitus de vita et honestate clericorum,*" touching their habit and apparel ?

Item. Whether the said archdeacons, and every of them, do observe and keep their corporal oath, given to the ordinary at the time of their admission to their archdeaconries, concerning obedience and reverence; and whether the said archdeacons do content and pay faithfully and truly all such duties as they ought to pay unto their said ordinary in any manner of wise; and especially pensions severally going out and payable by them unto the said ordinary.

Item. Whether the said archdeacons do foresee and provide that the blessed Sacrament of the Altar be reverently reserved and kept in a pix, and hanged upon the Altar, or otherwise decently kept and placed; and that the host so reserved in the pix, be once in the week taken and received of the priest, or sick person, for whom the same is reserved, and another consecrate host be put in the place thereof, and the same not to be suffered there long to continue, but changed and renewed according to the old custom and usage of the Church.

Item. Whether they, and every of them, have admonished the parsons, vicars, curates, and all other priests, being called, or coming to any sick person, making his testament and last will, to put the sick person in remembrance of the great spoil and robbery that of late has been made of the goods, ornaments and things of the Church; exhorting charitably the same, not only to relieve and help the needy persons being abroad, but also according to the old and laudable custom used in times past, effectually to remember both his parish Church and the need thereof, and also the cathedral and mother Church of this city and diocese of London, relieving the same with something according to his devotion and power; and whether the said parsons, vicars, curates, and other the said priests have done accordingly?

Articles concerning the things of the Church, and Ornaments of the same.

First. Whether there be at the entry of the church, or within the door of the same, a holy water-stock or pot, having in it holy water to sprinkle upon the entry, to put him in remembrance both of his promise made at the time of his baptism and of the shedding and sprinkling of Christ's blood on the Cross for his redemption; and also to put him in re-

membrance, that as he washed his body, so he should not forget to wash and cleanse his soul, and make it fair with virtuous and godly good living ; and finally to put him in remembrance, that as water passes and slides away, so shall he not tarry and abide in this world.

Item. Whether there be every Sunday holy water and holy bread, made and distributed among the parishioners, the one done for considerations afore rehearsed ; the other practised as well to put men in remembrance of unity and concord, expressed by the several grains, which, being many, are ground and brought to one loaf made of them all, as also to bring to memory the usage of the primitive Church, which was to have often, and especially on the Sunday, a communion between the multitude, for lack of which communion this holy bread is now given men, to understand that they should have done the other, and for lack of the same do now receive this for a memory thereof.

87.

Item. Whether there be a paxe in the Church, not only to put people in remembrance of the peace which Christ bequeathed to his disciples, but of that peace which Christ by his death purchased for the people, and also of that peace which Christ would have betwixt God and man, man and man, and man to himself. And the said paxe in the church to be kissed by the priest, and to be carried to the parishioners at mass time, in especial remembrance of the premises.

Item. Whether there be any that refuses to receive the said holy water or holy bread, or refuses to take the paxe, or to kiss the priest at the solemnization of matrimony, or use any such like ceremonies heretofore used and observed in the Church.

Item. Whether there be in the church an high altar of stone, consecrated and dedicated specially to sing or say mass upon : and it is not meant any grave-stones, taken from the burial or other unseemly place, and put up for an altar ; but a meet and convenient stone as hath been accustomed in times past.

Item. Whether the things underwritten, which are to be found on the cost of the parishioners, be in the church,—*i. e.* a legend, an antiphonar, a grayle, a psalter, an ordinal to say or solemnize divine service, a missal, a manual, a processional, a chalice, two cruets, a principal vestment with chasuble, a vestment for the deacon and subdeacon ; a cope, with the appur-

tenances, *i. e.* an amysse, albe, girdle, stole, and fan on the high altar, with apparel in the front and other parts thereof; three towels, three surplices, a rochet; a cross for procession, with candlesticks; a cross for the dead; an incenser, a ship or vessel for frankincense, a little saints' bell; a pix, with a honest and decent cover; and a veil, for the Lent-banners, and for the Rogation-week; bells and ropes, a bier for the dead, a vessel to carry holy water about, a candlestick for the paschal taper; a font to christen children, with covering; lock and key; and generally all other things, which, after the custom of the country or place, they are bound to find, maintain, and keep.

Item. Whether there be a crucifix, a rood-loft, as in times past has been accustomed, &c.

Item. Whether the water consecrated, being in the font, be once in the month at least duly changed and renewed, according to the old custom of the Church.

Item. Whether in the said Church there is a chrismatory for holy oil and chrism, decently and well kept after the old custom; and whether the said oil and chrism be also therein, and frequented and used as they ought to be.

Item. Whether in the said Church there be seats and pews for the parishioners to sit in, honestly prepared and kept after the old usage.

Item. Whether there has been or be any plate, ornaments, or jewels, bells, candlesticks, or lead, or other goods of and in the said church, what they were or be, and in whose hands they were or are, or whether they be alienated or pledged, declaring the value thereof.

Item. Whether there has been any inventory made of the said church-goods, and where the said inventories are, and whether there be wanting the said plate, jewels, or ornaments, specified in the said inventories; and being such want, by what occasion and mean the same is, and by whose commandment and doing.

Item. Whether there be churchwardens in the said church chosen every year, and whether the same do yearly make a faithful and true account to the parishioners accordingly, bringing in with them the said inventories, and doing all such things as on their behalf are to be done.

In the articles relating to the laity, I shall only mention these following :—

Whether there be any that will not suffer the priest to dip the child three times in the font, being yet strong and able to abide and suffer it, in the judgment and opinion of discreet and expert persons, but will needs have the child in the cloths, and only to be sprinkled with a few drops of water.

Whether there be any bawds, men or women, that does keep within his or their houses, or elsewhere, any strumpets or harlots, to have the more resort to their houses, and utter thereby their chaffer and wares to their more worldly advantage ; and whether there be any vehemently suspected thereof, or of conveying or keeping young wenches for such unlawful and ungodly purposes.

Item. Whether there have been any men, women, or children, of the age of fourteen years and above, who upon Sundays and holidays have gone a hunting or hawking, bear-baiting, used games and other plays, disport and pastimes ; or who has upon the said Sundays or holidays wilfully absented themselves from the parish-church in time of divine service ; and who, upon feigned occasion, either upon the even before, or upon the same day in the morning, doth use to go forth abroad out of their parishes into the fields or country, or otherwise, or doth secretly keep themselves in their houses, and do not come to the service as they ought to do.

The following articles stand at the beginning :—

First. Whether there be any lay-person, man or woman, that is an open and notable transgressor of any of the Ten Commandments of God, or an open offender in any of the seven deadly sins, or of the laudable customs and ordinances of the Catholic Church.

Item. Whether there be any lay-person, man, woman, or child, being of sufficient age and discretion, that cannot say their Paternoster, the Ave Maria, and the Creed.

LXXIII.

Cardinal Pole's Legatine Commission from Pope Julius III.

Regist.
Pool.

Julius Episcopus, Servus servorum Dei, dilecto filio Reginaldo Sanctæ Mariæ in Cosmedin Diacono, cardinali Polo

nuncupato, ad charissimam in Christo filiam nostram Mariam Angliæ reginam illustrem, et universum Angliæ regnum, nostro et Apostolicæ sedis legato de latere, salutem et Apostolicam benedictionem. Si ullo unquam tempore licuit, nunc certe expositissime licet dicere, “*Dextra Domini fecit virtutem.*” Hanc inquam lætissimam vocem licet omnium piorum gaudiis atque acclamatione celebrare. Quid enim aliud dicamus, quin dextram Domini hanc tam inopinatam rerum conversionem fecisse, ut florentissimum Angliæ regnum, ab Henrico octavo in dissidium ab Ecclesia Catholica secessionemque seductum, ac deinde Edvardi ejus nati successione in paterno et hæreditario errore corroboratum et firmatum, in eum nunc statum repente devenerit, ut ad sanctum ovile atque ad Ecclesiæ Catholicæ septa revocari facillime posse videatur? Profecto hoc nihil aliud est quam mutatio dextræ Excelsi. Defuncto enim vita supradicto Edvardo, adnisisque illius sectatoribus, qui rerum habenas, qui arces, qui exercitum, qui classem obtinebant, regnum alicui ex sua secta deferre, exclusa legitima hærede, charissima in Christo filia Maria Angliæ regina, illustri tunc principe, et præfati Henrici regis nata, quæ semper in Catholicæ fidei unitate permansit, atque ut eis videbatur, voto jam potitis; ecce ille dominator Dominus, et terribilis, “*qui aufert spiritum principum,*” cuncta iniquorum commenta disiecit, et repentina animorum totius regni inclinatione atque motu, ea quam ipsi constituerant regia potestate dejecta, ut ipsa Maria una omnium voce regina salutaretur, effecit. Gratia Domino Deo nostro, qui non obliviscitur suos, qui et huic illustrissimum præmium fidei suæ invictæque constantiæ, paternum regnum, quod jam humanitus amiserat, divinitus detulit: et hanc non parvam gregis sui partem, a recta semita jam pridem abactam, et per deserta dispersam, respicere dignatus est. Quam et non dubitamus eodem divino favore perseverante, postquam Catholicam principem nacta est, etiam ipsam in Catholicæ fidei viam facile conversum iri, et communioni ecclesiæ restitutum. Cui quidem spei sanctæque fiduciæ quam habemus in Domino, nos pro pastoralis, quæ nobis est ab illo commissa, universalis Ecclesiæ cura, et pro ea charitate qua erga Anglicam gentem proprie debemus affici, tamque hujus sanctæ sedis, cui sine meritis ullis nostris, sed sola summi Dei providentia præsidemus, peculiarem filiam, procurata olim ab ipsius sede divini illic verbi disseminatione generatam, deesse

nec volumus, nec debemus. Cum igitur super hujusmodi tractanda re, negotioque divina ope conficiendo, et potissimum cui hanc provinciam demandare possemus, assiduos nostræ mentis cogitatus effunderemus; tu semper nobis non tantum primus, sed solus omnium, occurristi, quem omnino præ cæteris huic curæ præficere debemus. Unde habita super his cum venerabilibus fratribus nostris sanctæ Romanæ Ecclesiæ cardinalibus deliberatione matura, de illorum unanimi assensu et consensu, te ad eandem reginam Mariam et universum Angliæ regnum nostrum et Apostolicæ sedis legatum delegimus. Sive enim nos natalis terræ tuæ, et omnium charitatem, quæ in te summa esse debet, et certe est, seu linguæ ejus gentis et morum sensuumque notitiam, sive ob deductum a sanguine regio genus, auctoritatem et gratiam, seu singularem in omni genere prudentiam et eloquentiam, seu (quod caput est) flagrantissimum tuum erga Deum et Dominum nostrum Jesum Christum ejusque sanctam Ecclesiam Catholicam amorem atque observantiam, multis jam in rebus cognitam atque perspectam, spectaremus; personam tuam, quam his, quas modo commemoravimus, et pluribus aliis, virtutibus, omnium munerum largitor altissimus exornavit, ad hanc legationem aptissimam, judicavimus. Quamobrem circumspectioni vestræ per præsentis litteras mandamus, ut munus istud pro eadem tua erga Deum pietate, erga nos et sanctam hanc sedem reverentia, erga Christianam rempublicam studio atque amore suscipiens, id pro tua fide, diligentia, dexteritate exequare; nihilque prætermittas, quo minus Deo bene juvante optatum legationis fructum assequare, in errorem lapsos consolando, atque in Dei gratiam et suæ sanctæ Catholicæ Ecclesiæ communionem restituendo. Cujus rei, maxime scilicet in ipsius Dei clementia, secundum Deum autem cum studio, prudentia et virtute tua, tum ipsius Mariæ reginæ in Deum pietate, sapientia et devotione, spem ponimus.

Dat. Romæ apud Sanctum Marcum, anno incarnationis Dominicæ millesimo quingentesimo quinquagesimo tertio, nonis Augusti, pontificatus nostri anno quarto.

LXXIV.

The King and Queen's Letters-patent to indemnify Cardinal Pole for holding a Synod.

Know ye, that for so much the said most reverend father, earnestly desiring that his labour and travail might take fruit, to the honour of God and the wealth of our subjects, hath now called a synod of the clergy of this our realm of England, to appear before him at our palace of Westminster; we, to avoid all danger, doubt, and ambiguity, which might arise in that case, by reason of any laws, statutes, customs, or prerogatives of us, or of this our realm of England; and, for the more ample declaration of our said letters-patent, have granted, declared, and signified, and by these presents do grant, declare, and signify, that our will, pleasure, and consent is, that as well the said most reverend father cardinal Pole, legate *de latere* of the pope's holiness and the see apostolic, may freely, without let of us, or danger of any of our said laws, statutes, customs, or prerogatives, call and celebrate the said synod, or any other synods hereafter, at his will and pleasure; and, in the same, statute, ordain, and decree any wholesome canons for the good life and order of the clergy of this our realm of England, or of any other our realms and dominions, and do any other thing for the better executing of their office and duty: as also the said clergy may appear and be present at the said synod or synods, and consent to fulfil and obey all such canons as shall be ordained in the same, or any of them, without let or impediment of us, and without incurring any danger, penalty, or forfeiture, of any of our laws or statutes, any act, ordinance, or other matter contrary to the same notwithstanding. And hereto we have given our full power and authority by these presents: in witness whereof we have made these our letters to be made patents. Witness ourselves at Westminster, the second day of November, in the second and third year of our reigns, *per ipsos regem et reginam, &c.*

Regist.
Pool,
fol. 16.
A.D. 1555.

LXXV.

Cardinal Pole's Letter to the Princess Elizabeth.

It may please your grace to understand, that albeit the long continuance and vehemence of my sickness be such as justly

Cotton Li-
brary Ves-
pasian. F 3.

89.

might move me, casting away all cares of this world, only to think of that to come ; yet not being convenient for me to determine of life or death, which is only in the hand of God, I thought it my duty, before I should depart, so nigh as I could, to leave all persons satisfied of me, and especially your grace, being of that honour and dignity, that the providence of God hath called you unto. For which purpose I do send you at this present mine faithful chaplain, the dean of Worcester ; to whom may it please your grace to give credit, in that he shall say unto you in my behalf. I doubt not but that your grace shall remain satisfied thereby ; whom Almighty God long prosper to his honour, your comfort, and the wealth of the realm.

By your grace's orator,

REG. CAR. CANTUARIEN.

From Lambeth,
the 14th of Nov. 1558.

LXXVI.

Cardinal Pole's Significavit into the Court of Chancery, for the punishment of Heretics.

Pole, Regist.
fol. 30.

Illustrissimis et serenissimis in Christo principibus, et dominis nostris dominis Philippo et Mariæ, Dei gratia regi et reginæ Angliæ, Hispaniarum, &c. Reginaldus miseratione divina Sanctæ Mariæ in Cosmedin, sanctæ Romanæ Ecclesiæ Presbyter Cardinalis Polus, Cantuariens. Archiepiscop. &c., honorem, reverentiam, et obedientiam in eo per quem reges regnant et principes dominantur ; vestris regiis majestatibus tenore præsentium significamus, &c. Cum igitur sancta Mater Ecclesiæ non habeat quod ulterius facere et exequi debeat in hac parte, vestris regiis sublimitatibus, et brachio vestro seculari, dictos hæreticos et relapsos relinquimus, condigna animadversione plectendos.

In cujus rei testimonium nos Reginald. &c. Dat. 17 Jul. A.D. 1558.

LXXVII.

The Differences between the Common Prayer-book set forth in the First Year of Queen Elizabeth, and the Second Book made use of in the Reign of King Edward VI.

First. King Edward's second book differeth from her majesty's book in the first Rubric, set down in the beginning of the book ; for king Edward's second book hath it thus :

"The morning and evening prayer shall be used in such place of the church, chapel, or chancel, and the minister shall turn him as the people may best hear. And if there be any controversy therein, the matter shall be referred to the ordinary, and he or his deputy shall appoint the place. And the," &c.

These alterations were transcribed by arch-bishop Whitgift, and sent to the lord-treasurer Burleigh. MSS. Burleigh. Strype's Annals.

Whereas the queen's book hath it thus :

"The morning and evening prayer shall be used in the accustomed place of the church, chapel, or chancel, except it shall be otherwise determined by the ordinary of the place. And the chancels shall remain as they have done in times past,"

Likewise, king Edward's second book hath it thus :

"Again, here is to be noted, that the minister, at the time of the communion, and at all other times in his ministration, shall use neither albe, vestment, nor cope ; but being arch-bishop, or bishop, shall have and wear a rochet ; and being a priest, or deacon, he shall have and wear a surplice only."

The queen's book hath it :

"And here it is to be noted, that the minister, at the time of the communion, and at all other times in his ministration, shall use such ornaments in the church as were in use by authority of parliament in the second year of the reign of king Edward VI., according to the act of parliament set forth in the beginning of this book."

Secondly. In king Edward's second book, in the Litany there are these words : "from the tyranny of the bishop of Rome, and all his detestable enormities ;" which are not in her majesty's book.

Thirdly. In the Litany, her majesty's book hath these words more than are in king Edward's second book, viz. "strengthen in the true worshipping of thee in righteousness, and true holiness of life," &c.

Fourthly. In the end of the Litany there is no prayer in king Edward's second book for the king, nor for the state of the clergy. And the last Collect set in her majesty's book next before the First Sunday in Advent, and beginning, "O God! whose nature and property is ever to have mercy," is not in king Edward's second book. Further: there are two Collects appointed for the time of dearth and famine; whereas her majesty's book has but one. And in king Edward's second book this note is given of the prayer of St. Chrysostom, "the Litany shall ever end with this Collect following:" which note is not in her majesty's book.

Fifthly. King Edward's second book appointeth only these words to be used when the bread is delivered at the Communion: "Take and eat this, in remembrance that Christ died for thee, and feed on him in thine heart by faith with thanksgiving." And when the cup is delivered: "Drink this in remembrance that Christ's blood was shed for thee, and be thankful."

Whereas in her majesty's book, at the delivering of the bread, these words must be said: "The body of our Lord Jesus Christ, which was given for thee; preserve thy body and soul unto everlasting life. Take and eat this," &c. And at the delivery of the cup, these words: "The blood of our Lord Jesus Christ, which was shed for thee; preserve thy body and soul unto everlasting life. Drink this," &c.

LXXVIII.

Certain Considerations of a Roman Catholic, why a Man may not, with a safe Conscience, and without offending God, be present at the Service now used.

Ex Biblioth.
R. Harley
Armig.
Written in
the begin-
ning of
queen Eli-
zabeth's
reign.
* Heb. xiii.

First. For that the said book was set forth by the mere power and authority of the laity only. Their pastors, the bishops, and the whole clergy, whom they are bound to obey, as having the cure of their souls, and for the which they shall give a reckoning,* and to whom the explication and definition of such matters principally appertaineth, openly resisting and repugning.

Secondly. For that such Sacraments are not ministered there, as all Christian men are bound under pain of eternal

damnation to desire, procure, and receive, and for that the said book is for many causes erroneous and schismatical.

Thirdly. For that such Sacraments as are there ministered be not ministered after such sort and order as the Catholic Church doth minister them, nor with such faith believed as the said Church requireth.

Fourthly. For that the first authors and ordainers, the fautors and defenders of this book do utterly neglect, contemn, and deride the order and form, that the Catholic Church prescribeth to worship God by ; and be with divers and grievous heresies involved and intricated.

90.

Fifthly. For that the common people embraceth and alloweth the said book, as containing a true, sincere, and perfect form and order of Christian belief, and to worship God by, erring therein damnably.

Now albeit the premises well, duly, and deeply considered, it may easily appear, that no Catholic may, for the avoiding of any worldly displeasure or damage, be present at such service ; yet we will supply some other reasons and considerations, for the better corroboration of this assertion.

First. For that the Holy Scripture doth command us to eschew and avoid the society and company of heretics and schismatics ; as where Moses chargeth the people of Israel to go from the tabernacles of the schismatical Korah, Dathan, and Abiram. " Avoid," saith St. Paul, " the company of an heretic after the first and second correption." " We denounce unto you," saith St. Paul, " in the name of our Lord Jesus Christ, that you do withdraw yourselves from every brother that walketh disordinately, and not according to the tradition you have received of us." The which, and like authorities and admonitions of Holy Scripture, cannot likely, more justly, and more necessarily take place, than in this our present case.

Secondly. For that the decrees of the holy apostles, and the national and general councils, do expressly forbid all Catholics to resort to the churches, or common prayers of heretics or schismatics. He can find, saith St. Clement, no excusation in the day of judgment, that comes to the churches of heretics ; and commands all faithful men, that by all means they abstain from the company of heretics, and that they neither talk nor pray with them.

Clemen.
Constit.
Apost.
lib. 2. cap. 65.
Cap. 19.

Can. 11.
Apost. et 2.
Can. Con.
Antioch. et
Concil.
Carthag.
can. 23.

The like decrees are to be found in the councils of Antioch, of Carthage, and in divers others.

Euseb. Hist.
Eccles.
lib. 6. cap. 2.

Thirdly. For that the practice and usage of the old, ancient holy fathers and good Catholics, hath from the beginning been conformable to the foresaid rules, precepts, and decrees. Yea they did endanger their lives, rather than they would associate themselves in common prayers with heretics and schismatics ; which worthy examples do frequently occur in the ancient ecclesiastical histories : as of the great clerk Origen, who being in one house with the heretic Paulus, would in no ways pray with him ; the Arrian emperor Valens being in a great fury with the Catholic people of the city of Edessa, for that they would not come to the Arian churches, but having all their churches taken from them, repaired to the open fields to make their common prayers, caused a proclamation to be made, that as many as should come thither after the proclamation should be slain : yet they, this notwithstanding, the next day repaired thither in great company, both men, women, and children, ready to die in the quarrel, and thinking they should merit martyrdom thereby.

Theod. Hist.
Eccles.
lib. 4.
cap. 14 et 15.
Hist. Tri-
part. lib. 7.
cap. 16.

To this I may adjoin the Samosatans, whose noble constancy is worthily commended in this behalf ; for their Catholic bishop Eusebius being banished for his sincere faith, and Eunomius, an Arrian, intruded for him, there was none of the city, nor poor, nor rich, nor men, nor women, no not as much as any child would resort to the church, while he was there.

Theod. Hist.
Eccles.
lib. 2.
cap. 14.

The like worthy constancy was in the people of Alexandria ; Athanasius their bishop being exiled, and George an heretic substituted for him ; though they were most grievously tormented for that by the cruel duke Sebastian. Semblable worthiness was found in the people of Rome, Liberius their bishop being expulsed, for they would not repair to any common prayer made by the anti-bishop Felix. And here is well to be noted, that our case is far different from theirs, and much more dangerous and prejudicial, for that the common service then was Catholic, and the usual service of the Church, the pastors being heretics and schismatics ; but our service is plain schismatical, and disagreeable to the usual and ancient service of the Catholic Church : which thing doth wonderfully aggravate the offence of them that now come to such common service.

And though they therefore might, as it seemeth, better be excused, than we now, yet do I not find that they did, or lawfully could pretend such excuses as some men now do ; saying they come not thither to pray with them, but to make their own private and Catholic prayers, and that they in heart dislike the said service ; for if they dislike it, and think it nought, then ought they to withdraw their presence, and in this point are not far from the Helkesites, who held an opinion which is condemned in the Church, that in time of persecution it is enough to think well, though their act be to the contrary. And though the schismatics do ill to have a liking of that which is nought, and the Catholic doth well in disliking of the same ; yet in coming to the service, the schismatic's fault seems the less, which repairs to the service which he esteemeth good, and the Catholic's fault the greater, for frequenting that form which he knoweth to be unlawful. Neither can it be any light offence before God to dissemble in a matter of such importance, and that touches so nearly God's honour. The good Eleazarus is much commended in Holy Scripture for his plainness, who would, and did rather die, than that he would once pretend to have eaten swine's flesh against the law, when he had eaten none indeed. Neither can this man well pretend that he doth not consent or allow of it, for his personal presence implies the contrary, and the intent and purpose why men come to the church implies also the contrary ; which intent and purpose (by the order and laws of the Church) is principally to be present at the common prayers, and at the holy sacrifice of the eucharist, and not to make our private prayers. And though that be suffered, yet they that be present give also their consent to the common prayers, either by answering " Amen " to the same, as the whole people did so answer in the primitive Church, or by the answer of such persons as be appointed to answer in public service ; whose answer in law and good consideration implies and represents the answer of the whole people. And surely as by the laws of this realm, he that is in company of felons and murderers, though he dislike the act, yet if he do not fly or resist the act as much as lies in him, but vainly stands by, though he perchance escape the penalty of felony, shall not escape some fine to be set on him : so, and much more, he that is present in this public service cannot be before God wholly excused.

91.

This man must also well consider what occasion of scandal or offence he gives to others, for the which he is answerable before God. Such as know him in heart to mislike the service, cannot but judge him a deep dissembler; to whom also if they be of the same disliking, he gives occasion to use the like dissimulation. Others that know not his heart are confirmed by his presence (especially if he be a man of any regard) to allow and frequent the said service.

1 Cor. x.

Rom. xii.

Matt. xx.

1 Cor. viii.
& x.

Such kind of persons I would wish diligently to call to remembrance, what the Holy Scripture admonishes us in such cases. "Be ye without offence," saith St. Paul, "towards the Jews, the Gentiles, and the Church of God. Provide to do well, not only before God, but before men also." "Woe be to him," saith Christ, "by whom any slander or offence cometh." St. Paul reproveth them that did eat meats offered to the idols, to the offence of others that thought it not lawful to eat of the same: with many other like places occurrent in the Holy Scripture.

LXXIX.

An information made to Queen Elizabeth by — of the several Abuses and Frauds done unto the State in general, and the Crown, by such as have been employed by her Father, &c. upon the Suppression of the Abbeyes, &c.

Biblioth.
R. Harley
Armig.
Weaver's
Funeral
Monu-
ments,
p. 124.

Part of the corrupt, fraudulent, and deceitful dealing of many subjects of this realm, at and since the suppression and visitation of abbeyes, whereby the possessions, revenues, and treasure of the crown have been immeasurably robbed and diminished to the great offence of God, and slander of the Gospel, and to the no small impoverishing and weakening of the imperial crown, and utter undoing of a number of your majesty's poor tenants and subjects. And so to the great slander of your majesty, and withdrawing of their hearts from you (whose act it is told them to be, and so to them it seemeth, because some of your seals be at all or most part of them, and the confirmation of your head officers at the rest), and to the utter spoiling and undoing of a number of learned persons and excellent wits, who understanding that many before them have been thereby greatly enriched and advanced: and that the gap thereunto, as unto a virtue, was made wide open for

all, without any punishment, but rather commendations, were and are still the easilier overcome by temptation of the wisdom of Satan, the world, and the flesh, to seek and labour to become rich by like wicked ways; of whom, as the number is now of late years greatly increased, so also deceive they more subtilly and detestably, and in more things than ever before.

And here, after some farther length of invective, he proceeds to instance in the reign of king Henry VIII. The contents of which are—

*Deceitful and unrighteous Dealings at and upon the Visitation
and Suppression of Abbeyes, &c.*

1. Where the images of gold and silver, and what with the costly shrines, tabernacles, altars, and rood-lofts, and the precious jewels of right stones, and pearls, &c. belonging to the same, and the pixes, chalices, pattens, basons, ewers, candlesticks, cruets, censers, and multitudes of other rich vessels of gold and silver: and the costly altar-cloths, curtains, copes, vestments, aulbs, tunicles, and other rich ornaments: and the fine linen, jett marble, and precious wood, brass, iron, lead, bells, stone, &c. And the household plate, household stuff, and furniture of household, and the leases and chattels, and the horses, oxen, kine, sheep, and other cattle, and the superfluous houses and buildings, and multitudes of other things that belong to the abbeyes, were worth a million of gold.

The sales of the part whereof were so cunningly made, and the preservation of the rest was such, that your majesty's father and the crown of England had, in comparison, but mean portions of the same: of which much was unpaid by ill-dealing many years after: for the finding out of which, and punishing the great deceit and fraud, there was not then, neither hath there been at any time since (for the like evils afterwards also committed to this day) any good order or diligent labour taken, but let pass, as though to find out and punish such wickedness were no profit to the prince and crown, or good service to God: all which have been the easilier let slip, because perhaps some of them that should have punished under the prince might also be partly guilty.

2. Item. Whereas divers of the visitors and suppressors, had afterwards yearly allowance of fees, annuities, corodies,

&c. granted by the abbeyes to themselves, their servants, and friends ; was it likely that they came by them without fraud ?

3. The most part of the evidencies of abbeyes and nunneries were pilfered away, sold, and lost, as herein following under the title of your majesty's time more plainly appears.

4. Manors, lands, and tenements, and other hereditaments were often sold at under yearly rents by many subtle deceits and frauds.

5. Many lands, and tenements, &c. were some time sold with the appurtenances at the old yearly rents. But where the woods were undervalued, as often they were, the same went from the king without recompence.

6. Manors, lands, and tenements, &c. sold to divers. And after the woods were felled and sold, and the rents enhanced, or for great fines leased out for many years, then the same manors were returned to the king in exchange for other lands, that had plenty of woods, and were unenhanced and unleased in all or in part, or the leases were near expired.

7. Much lands and tenements, and many great woods and other hereditaments were then sold away, where the money for the same was not paid many years after the due time of payment.

Deceits in the reign of King Edward VI., your Majesty's Brother.

Exchanges more than in king Henry's time, and almost as bad, whereby the rents of many of them must needs decay in a great part, when that leases shall end, that were made by the exchangers, or when the bonds made to warrant these rents shall either be lost, forgotten, or not extended.

Much land sold at undervalues by great deceit of many.

Deceit in the short time of the reign of Queen Mary, your Majesty's Sister.

Many great gifts, sales, and exchanges were then, wherein was great deceit and loss to the crown.

92.

Deceit in your Majesty's time.

All or greatest part of the evidences of the lands, possessions, and hereditaments, of all the abbeyes, &c. have by little and little, by fraudulent means, been so pilfered and sold away, and so drawn into many private men's hands, that there

is almost none of them left to your majesty's use, so that your majesty hath nothing to maintain your title, if need so require, but only your long possession and your own records made since the suppression, whereof a number of them be gone, *ut patet inferius*.

And where some men have bought only the demesnes of a manor, and have so prevailed by corrupt means, that the auditor has put thereto in his particular thereof, *nomen manneri*; or else if the penners of the letters patents for that purchase have corruptly put it into the draught, or transcript, and the peruser overpass it, either by too much confidence in the penner, or for lack of time by so slight conferring of the particular and transcript, suffered such a scape; and so, if the same have passed under the great seal, then is there no remedy, but he must have and enjoy the whole manor, though afterwards it appear never so plainly that he purchased only a part thereof. Such be the laws and statutes they say, neither has there been (that ever I could know or hear of) any diligent inquiry made, or labour taken to find out by whose corruption it came, and to punish the purchaser and all his corrupt instruments, as the wickedness of the act did deserve. And so as all others might by their punishment be terrified from that ill kind, and innumerable other kinds of like corrupted dealing.

Likewise of concealed lands whatsoever found out and certified by commission out of the Exchequer, if the commissioners, through friendship or corruption, have found out a manor, or other lands, to be worth yearly five shillings; whereas the old yearly rent of the same was no less than twenty pounds by year: and thereupon if the procurer of the commission obtain it by lease, or purchase, at five shillings by year, your majesty has no remedy, but he must enjoy it *causa predicta*, notwithstanding the truth thereof do afterwards never so plainly appear.

And also of many other things, both of lands, goods and woods, debts and other things, answerable in your majesty's Court of Exchequer, within the accompts of your highness's sheriffs, escheators, and other officers, and other persons authorized to take the same to your majesty's use, if they find out and seize any manors, lands, hereditaments, goods, &c. at a far under rate, though it be never so plainly known, they are

not blamed and punished for it ; no, some will say, the officers would never be sued for a pitiful hearing.

Stately manors, and mean manors, with the parks and woods, have been sold, given and otherwise granted, where the parks have passed at no rent, and the woods at no value, or very little, in comparison, yea and some manors, &c. where divers fees of the keepers of the park, of the houses, &c. have been deducted, so that the values at which the said manors have passed, have been a great deal less than they ought to have been.

Item. Divers of the copyholders, both of your stately and mean manors, which are your best and richest lands, for their small rent be sometimes purchased, sometimes granted in fee-farm, and sometimes leased out, whereby the manors be dismembered, your tenants taken from you, and impoverished, and your commons much grieved, and provoked to murmur, when they see copyhold tenure, (the good ancient tenure of England) whereby the most of them hold, and ever have held their lands and livings, to be (nowadays) made void and of none effect.

Item. Perquisites and profits of the courts of divers of your majesty's manors be leased out, and some sold away ; whereby also the manors be dismembered, the tenants and their services had from your majesty. A matter of great weight.

Item. The profits of the courts of many of the manors that remain in your majesty be yearly ill answered, and sometimes partly pilfered away, and the easier, because the stewards deliver not up yearly doubles of their court-rolls, as by good order they should do ; and because deceit is not sought out and punished.

Item. Many of your majesty's rich woods, with the soils, both notable great and stately, and also both mean and small, some lying and being within the forests, chases, parks, commons, &c. and other some within the late demesnes, or proper occupation of abbots, priors, nuns, &c. or of other former owners of castles, honours, lordships, manors, lands, tenements, and hereditaments *, common to your majesty's ancestors and to yourself, which never yielded any yearly rent, except some trifle for the herbage and pawnage, being kept for royal and stately pleasure, and common and domestical profit, have been sold away for little or nothing in comparison, and

* He means most probably the honours, castles, lordships &c. taken from the bishops' sees, and vested in the crown by an act of parliament, made in the first year of this queen's reign.

some part of them letten out to no common benefit or particular profit for your majesty, because the rents be small, and the woods are suffered to be spoiled, *ut patet inferius*.

After recital of several other frauds, too long to mention, he draws towards a conclusion in this manner. Your majesty, says he, would wonder, if you knew how much I have been maligned, reproached, brow-beaten, and pursued with ill offices for my plainness against this mismanagement. At which your majesty may be the more surprized, because some of them bear great show and name of good men and Gospellers: but alas piteous ones. God amend them, and us all.

He that gave in this information, owns himself a professor of the Gospel, that is, a Protestant, and that he was in a post of authority: and since he brings in so high a charge against the courtiers, and officers of the crown, the reader needs not be surprized to find his name concealed.

LXXX.

The Form of a Conge D'eslire.

CHARLES R.

Rex, &c. dilectis nobis in Christo decano et capitulo ecclesie cathedralis et metropolitane Sancti Petri Eboracensis salutem. Ex parte vestra nobis est humiliter supplicatum, ut cum ecclesia prædicta per mortem naturalem ultimi archiepiscopi ejusdem jam vacet, et pastoris sit solatio destituta, alium vobis eligendum in archiepiscopum et pastorem licentiam nostram fundatoris vobis concedere dignaremur. Nos precibus vestris in hac parte favorabiliter inclinantes licentiam illam vobis duximus concedendam, rogantes, ac in fide et dilectione quibus nobis tenemini præcipientes, quod talem vobis eligatis in archiepiscopum et pastorem qui Deo devotus, nobis et regno nostro utilis, et fidelis existat: in cujus rei testimonium, &c.

Paper-office.

93.

LXXXI.

*Archbishop Parker's Homage to Queen Elizabeth. Apud West.
die, Feb. 1559.*

I, Matthew Parker, doctor of divinity, now elect archbishop of Canterbury, do utterly testify and declare in my conscience,

Paper-office.
An original.

that your majesty is the only supreme governor of this realm, and of all other your highness's dominions and countries, as well in all spiritual or ecclesiastical things or causes, as temporal, and that no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, preeminence, or authority, ecclesiastical or spiritual, within this realm, and therefore I do utterly renounce and forsake all foreign jurisdictions, powers, superiorities, and authorities; and do promise that from henceforth I shall bear faith and true allegiance unto your majesty, your heirs, and lawful successors, and to my power shall assist and defend all jurisdictions, privileges, pre-eminences and authorities, granted or belonging to your highness, your heirs and successors, or united and annexed to the imperial crown of this realm. And farther I knowledge and confess, to have and to hold the said archbishopric of Canterbury, and the possessions of the same entirely, as well the spiritualties as temporalities thereof, only of your majesty and crown royal, of this your realms. And as for the said possessions, I do mine homags presently unto your highness, and to the same, and your heirs and lawful successors, shall be faithful and true, so help me God, and the contents of this book.

We also, whose names be underwritten, being bishops of the several bishoprics within your majesty's realm, do testify, declare, and acknowledge, all and every part of the premises, in like manner as the right reverend father in God, the archbishop of Canterbury, has done.

LXXXII.

At the Confirmation of a Bishop by the Archbishop, the Dean and Chapter by their Proxy certify the following Particulars, touching the Regularity of the Election before the Archbishop, his Vicar General, or Commissary.

Pars venerabilium virorum decani et capituli ecclesiæ cathedralis Lich' dicit, allegat, et in his scriptis ad omnem juris effectum exinde sequi valentem, per viam summariæ petitionis in jure proponit articulatim, prout sequitur.

Imprimis, viz. Quod sedes episcopalis Coven. et Lich' per mortem, bonæ memoriæ, domini Thomæ Bentham ultimi episcopi et pastoris ibidem nuper vacare cepit, et aliquamdiu

vacavit, pastorisque solatio destituta existit. Hocque fuit, et est verum, publicum, notorium, manifestum pariter et famosum : ac ponit conjunctim et divisim ac de quolibet.

Item, quod dicta sede episcopali Coven. et Lichen. dudum, ut præfertur, vacante, decanus et capitulum ecclesiæ cathedralis Lichen. prædict' capitulariter congregati, et capitulum facientes licentia regia primitus in ea parte petita et obtenta, certum diem ac domum suam capitularem ecclesiæ cathedralis Lichen. prædict' pro hujusmodi electione fiend' et celebrand' unanimiter et concorditer præfixerunt ; ac omnes et singulos ejusdem ecclesiæ cathedralis canonicos et præbendarios, jus, voces, et interesse in eadem electione habentes, seu habere prætendentes, ad diem et locum prædictos in hujusmodi electionis negotio processur' et procedi visur' legitime et peremptorie citari fecerunt ; hocque fuit et est verum, publicum, notorium, manifestum pariter et famosum. Et ponit ut supra.

Item, quod præfati decanus et capitulum die et loco præfixis, viz. die mensis — anno Domini millesimo quingentesimo octogesimo jam curren' capitulariter congregati, et capitulum facientes (servatis primitis per eos de jure et statutis hujus regni Angliæ in ea parte servandis) habitoque per eos tractatu diligent' de persona idonea eligenda in episcopum et pastorem ecclesiæ cathedralis Lichen' prædict' tandem unanimiter et concorditer nullo eorum contradicente vel reclamante, venerabilem virum magistrum Wilhelmum Overton Sacræ Theologiæ Professorem in eorum et dictæ ecclesiæ memoratæ cathedralis Lichen' episcopum et pastorem elegerunt, et ecclesiæ memoratæ providerunt de eodem. Et ponit ut supra.

Item, quod electio hujusmodi, et persona electa die prædicta in ecclesia cathedrali Lichen' prædict' coram clero et populo tunc ibidem in numero copioso congregat' debite publicat' et declarat' fuerunt. Et ponit ut supra.

Item, quod dictus electus hujusmodi electioni de persona sua in episcopum et pastorem ecclesiæ cathedralis Lichen' prædict', ut præfertur, factæ et celebratæ ad humilem petitionem eorundem decani et capituli debitis loco et tempore consentiebat, ac consensum suum eidem præbuit in scriptis per eum lectis. Et ponit ut supra.

Item, quod dictus magister Wilhelmus Overton, Sacræ Theologiæ Professor, fuit et est vir providus et discretus litterarum eminenti scientia, vita et moribus merito commenda-

tus, liber; et de legitimo matrimonio procreatus, atque in ætate legitima et ordine sacerdotali constitutus, necnon Deo devotus, et ecclesiæ memoratæ apprime necessarius; hocque fuit, et est verum, publicum, notorium, manifestum pariter et famosum. Et ponit ut supra.

Item, quod præfati decanus et capitulum hujusmodi electionem et personam electam, serenissimæ dominæ nostræ reginæ Elizabethæ, per litteras suas patentes sigillo eorum communi roboratas, pro officii sui debit' juxta statuta hujus inclyti regni Angliæ significaverunt et intimaverunt. Et ponit ut supra.

Item, quod præsentato pro parte dictorum decani et capituli eidem regiæ sublimitati processu electionis hujusmodi, eadem serenissima domina nostra regina pro sua clementia regia electioni hujusmodi de persona præfati magistri Wilhelmi Overton (ut præfertur) factæ et celebratæ, consensum et assensum suos regios gratiose adhibuit et adhibet, illamque ratam et gratam habuit et habet. Et ponit ut supra.

94.

Item, quod dicta serenissima domina nostra regina vobis præfato reverendissimo patri de assensu et consensu suis regiis hujusmodi electioni (ut præfertur) adhibitæ, per litteras suas patentes vobis inscriptas et directas non solum significavit, verum etiam earundem litterarum suarum patentium serie vobis rogando mandavit, quatenus vos electionem prædictam et personam electam hujusmodi confirmare, ipsumque insigniis episcopalibus insignire et decorare, cæteraque peragere quæ vestro in hac parte incumbunt officio pastoralis, juxta formam statuti in ea parte editi, et literarum patentium hujusmodi velitis, cum favore; hocque fuit et est verum, publicum, notorium, manifestum pariter et famosum; et ponit ut supra.

Item, quod præmissa omnia et singula fuerunt et sunt vera, publica, notoria, manifesta pariter et famosa, atque de et super eisdem laboraverint et in præsentis laborant, publica vox et fama, unde facta fide de jure in hac parte requisita, ad quam faciend' offert se pars ista proponens, dictorum decani et capituli promptam et paratam pro loco et tempore congruis et opportunis; petit eadem pars præfatam electionem et personam electam confirmandam fore, decerni, et cum effectu confirmari, juxta juris et statutorum hujus regni Angliæ exigentiam, necnon regiarum literarum patentium hujusmodi vobis direct' in hac parte seriem; curamque regimen et administrationem episcopatus Coven. et Lichen. eidem electo committi. Ipsumque in

realem, actualem, et corporalem possessionem dicti episcopatus Coven. et Lichen. Juriumque et pertinentium suorum universorum inducend' et introthonzand' fore decerni, ulteriusque fieri et ministrari in præmissis, et ea concernen' quibuscunque; quod justum fuerit et rationi consonum, supplend' defectus quoscunque in hac parte intervenientes. Quæ proponit et fieri petit pars ista proponens conjunctim et divisim, non arctans se ad omnia et singula præmissa proband' nec ad onus superflue probationis de quo protestatur; sed quatenus probaverit in præmissis, eatenus obtineat in petitis; juris beneficio in omnibus semper salvo, vestrum officium domine judex antedict' humiliter implorand'.

LXXXIII.

The Form of a Commendam.

Carolus Secundus, &c. omnibus ad quos præsentēs litteræ Paper-office. pervenerint, salutem. Sciatis nos, de gratia nostra speciali, ac ex certa scientia et mero motu nostris dedisse et concessisse, prout per præsentēs damus et concedimus dilecto et fideli subdito nostro Setho Ward Sacræ Theologiæ Professori, Exon. episcopo designat. quod ipse suo cum episcopatu prædicto, cujus fructus, redditus et proventus adeo tenuēs, exiles, et diminuti existunt, ut mensæ episcopali ac aliis dicto episcopat' incumbent' oneri non satisfaciunt; rectoriam Sancti Briok in com. nostro Cornub. et diocesi prædicta, quam in præsentī obtinet retinere, et ad quam modo institutus existit, possidere, una cum episcopatu prædicto, necnon vicariam Minhinnet in eodem com. cum vel sine institutione, inductione, aut aliqua alia juris solennitate, virtute hujus commendam acceptare, et durante vita sua naturali, ac quamdiu ipsum dicto episcopatu Exon. præesse contigerit, in commendam recipere, et retinere, illorumque fructus, redditus et proventus congruis eorum supportatis oneribus cum omnibus suis juribus, privilegiis, proficiis, et advantagiis, iisdem pertinentibus, in suum usum et utilitatem convertere et applicare, libere et licite sine quorumcunque impedimento valeat et possit. Et quoties sibi placuerit permutare, ac tot alia similia vel dissimilia ecclesiastica beneficia curata vel non curata, cujuscunque naturæ nominis et distantiae, cum dicto episcopatu retinere, sine aliqua juris solennitate, canonum observatione, collatione, institutione,

inductione, aut installatione in commendam capere, retinere, et gaudere valeat, aliquo statuto, canone, vel decreto, aut aliqua alia re, causa, vel materia quacunque non obstante, cum quibus statutis, canonice decretis dispensamus per præsentes.

In cuius rei testimonium has litteras fieri fecimus patentes.

Teste meipso apud Westm. 16 die Julii anno regni nostri 14.

Per breve de privato sigillo.

LXXXIV.

Sampson's and Humphrey's Letter to the Archbishop of Canterbury, and the Bishops of London, Winchester, Ely, and Lincoln, to excuse their non-compliance, with reference to the ceremonies.

Strype's
Life of
Archbishop
Parker.
Append.
num. 30.
An. 1564.

Et novum et singulare videri potest, paucos homines multitudini, privatos authoritati, obscuris vobis, et doctrinæ et pietatis gloria celebratis, propter lanam et linum, vel dicto vel facto, aut velle aut audere obstrepere. Equidem ingenue fatemur, et coram Domino testamur, patres et fratres in Christo observandi, ut singularis nostra in religione suavissima conspiratio fuit, et est perjucunda; sic hac nostra vel levi a vobis dissensione in vita nihil accidisse acerbius. Quanquam illud nos recreare solet, et consolari debet, discordare quidem nos, at concordi discordia; evangelice, non papistice, fraterne, non virulente, sine dente et stomacho, utrosque, sine zelo tamen et fervore neutros, dissidere: in capite Christo antesignano nostro, omnes et singulos idem Evangelium, eandem fidem profiteri; in rebus natura sua plane adiaphoris suum quemque spiritum, et studium sequi; ubi libertati esse locus potest sæpe, charitati autem esse debet semper: ubi non statim rumpitur unitas, nec obscuratur veritas, ubi aliqua ceremoniarum cernitur varietas. Vedit hoc Augustinus, sabbatho alios prandisse, alios rursus jejunasse, et in una ecclesia uniusque regionis ecclesiis dissimilitudinem extitisse. Vedit Socrates, homines qui ejusdem sunt fidei, de ritibus inter se dissensisse. Vedit Theodoretus, ab omni antiquitate hanc in ecclesia consuetudinem mansisse, ut hic abstinentiam amplecteretur, ille esculentis vesceretur: nec hic judicaret illum, nec ille reprehenderet alterum, et omnes tamen claros, insignesque

redderet lex concordiae. Discessit a Constantini decreto, aliarum ecclesiarum exemplum sequuta, nostra Britannia. Dissensit a Carolo clerus Ravennas: imo a Barnaba Paulus, a Paulo Petrus, a Petro condiscipulus Joannes; ab hujus successoribus Romanis, illius sectatores Asiani. Utinam patres, hic hic vos operam vestram interponeretis, ut illic pacificus Irenæus, et episcopi, qui in id sedulo incubuerunt, ne victoris sententia Asianorum libertati præjudicaret, neve rituum dissonantia fidei consonantiam solveret.

Siqua nostræ in Christo consociationis ratio, siqua *συμπάθεια* (esse autem non dubitamus) patiamini, enitami, ut quod Paulus præcipit, Augustinus perhibuit, in sua quisque *πληροφορία* acquiescat, ut ipsa fidei unitas diversis observationibus celebretur. Causæ multæ et magnæ, quæ nos ad petendum moverunt, vos, nisi nostra de vestra pietate et prudentia fallit opinio, ad assentiendum permovebunt. Teneram rem esse conscientiam, vobis non est obscurum, quæ nec tangi, nec angere debet. Hæc quæ a Deo ipsa accepit, nobis tradidit. Non enim profecto turbulenti aut contumaces sumus, ut ecclesiæ pacem turbatam libenter aspiciamus, quam colimus et fovemus: vel ut novitati studeamus, qui ad antiquam ecclesiæ candorem aspiramus: vel ut vinci nolumus, qui ratione persuaderi et instrui cupimus. Verum enimvero nos conscientia magistra edocti sumus, res natura indifferentes, opinionibus hominum non semper indifferentes videri, casu ac temporibus variari: legem hanc de ceremoniis Romanæ Ecclesiæ instaurandis cum servitutis, necessitatis, superstitionis periculo conjungi. Hoc quia vobis non videtur, vos a nobis non damnandi, nobis quia sic videtur, nos a vobis non divexandi.

Nostra conscientia nos docet, si præterita spatia superioris memoriæ animo repetimus, a nobis stare Deum, Christum, primæ Ecclesiæ patres. Si oculos per vicina tempora et loca circumferimus, doctissimos homines, et vos ipsos, et ecclesias, quæ quidem plene repurgatæ sunt, universas; Deum, cujus voce reges Judæorum prædicantur, qui omnia vasa, id est, omnia idololatriæ instrumenta, et apparatus deleverunt: Christum, qui Pharisæorum omne fermentum, jejunia, lavacra, fimbrias, et phylacteria repudiavit: patres, qui nec cum Judæis Sabbathum jejunare, aut Pascha celebrare, nec cum hæreticis lavare, nec cum Manichæis die Dominico abstinere, nec ulla in re, ubi aliqua esse potest consensionis significatio, communi-

care vulerunt : doctissimos, qui nostra ætate nobiscum in hac fide et sententia pie vixerunt, et nunc in Domino suaviter obdormientes, idem nos e libris docuerunt : vosipsos, qui, si conscientias vestras appellaremus, nobiscum sentiretis, et omnes hos offensionis lapides amotos, penitus optaretis : deinde Ecclesias puriores, Germanicam, Gallicam, Scoticam ; in quibus non modo religio illibata conservatur, sed ritus etiam religionis testes et indices, simplices, non contaminati, a Christianis Ecclesiis mutuati, non a Romano synagoga desumpti observantur.

Postremo, quam grave scandalum hinc oriatur, vestra non ignorat prudentia. Adversarii nobis afflictis insultabunt : dein, vos suam causam propugnantes, suum jus persequentes, in sinu tacite ridebunt ; tum invento suo, postquam a vobis non modo retineri ; sed per vos fratribus obtrudi viderint, sibi magis placebunt.

Quamobrem ut tandem aliquando nostra terminetur petitio, demississime petimus, ut quod Papistis curæ et voluptati, vobis non magnopere cordi est, quod a nobis nullo contemptu vestri sed odio communis hostis fit, id nobis ne fraudi sit aut crimini. Ita Ecclesiis prospicietis optime ; ita Sathanæ omnes vias et rimulas ad subvertendam religionis puritatem, obsepietis providentissime. Ita hostibus nostro malo et miseria oculos animosque pascentibus, et nostra hac discordia serio triumphantibus illa rumpentur justissime ; ita nos ut fratres in Christo diligetis Christianissime. Ita vos, ut patres venerabimur meritissime : ita dextras societatis jungemus amicissime ; communemque causam communibus consiliis et curis adversus omnes hostium machinationes, et insultus propugnabimus fortissime. Quod ut fiat, faxit Jesus Ecclesiæ suæ Deus ac Dominus zelotes ; cui vestram paternitatem custodiendam, et nostram calamitatem sanandam, etiam atque etiam commendamus.

LXXXIV.

An University Licence for Preaching, granted by Fisher, Chancellor of Cambridge, in a Bull from the Court of Rome.

Strype's
Life of Abp.
Parker.
Appendix,
num. 35.

Universis sanctæ Matris Ecclesiæ Filiis præsentibus literas inspecturis vel audituris ; Johannes Dei gratia, almæ Universitat. Cantabrigiæ Cancellarius, et ejusdem Universitatis

cœtus unanimis regentium et non regentium, salutem in Domino sempiternam. Universitati vestræ notum facimus per præsentem, quod Julianus episcopus Ostiensis miseratione divina, pro divini cultus et fidei Catholicæ incremento, ac Christianæ religionis augmentatione, ad petitionem et instanc. providi viri Thomæ Cabolde domini Papæ pro natione Angliæ, Scotiæ, et Hiberniæ, in Romana curia minoris pœnitentiarii, per quandam bullam, quæ sic incipit : Julianus episcopus *miseratione divina Ostiensis*, &c. concessit nobis et successoribus nostris, autoritate domini Papæ Alexandri sexti apud Sanctum Petrum sexto Nonas Maii, pontificatus sui anno undecimo, de ejus habundante gra. et speciali mandato super hoc vivæ vocis oraculo illi facto, licentiam et liberam facultatem imperpetuam, eligendi singulis annis duodecim doctores seu magistros et graduatos, in presbyteratus ordine constitutos, et ad prædicandi officium magis idoneos, qui sub Universitatis sigillo communi electi et deputati, ubique per totum regnum Angliæ, Scotiæ, et Hiberniæ, populo et clero verbum Dei prædicare et seminare possint, dummodo prædicti doctores, seu magistri et graduati præfati, et hujusmodi, ad prædicandi officium sic electi et deputati non prædicent in locis ubi ordinarii locorum prædicant, nisi de eorum consensu, constitutionibus et ordinationibus apostolicis, ac statutis et constitutionibus provincialibus et synodalibus, aut Othonis et Octoboni, cæterisque contrariis quibuscunque in regno Angliæ, Scotiæ, et Hiberniæ, non obstantibus, nec non locorum ordinariorum licentia super hoc minime requisita; consensu tamen rectorum ecclesiarum interveniente. Quæ omnia et singula plenius et evidentius in prædicti Ostiensis episcopi bulla apparent.

Nos igitur Johannes Roffensis episcopus, cancellarius antedict. cum cœtu unanimi regentium et non regentium Universitatis prædict. autoritate præfat. bullæ nobis in hac parte concessæ, ad officium prædicandi hujusmodi, dilectum nobis in Christo Christopherum Bayley presbyterum, artium magistrum, pro anno duntaxat post dat. præsentium, eligimus, præficimus, et deputamus. Vosque in Domino oramus et obsecramus, quatenus quum præfatus Christopherus et alumpnis nostris unus, ad vos, ecclesias, vel capellas vestras accesserit, ad officium prædicationis hujusmodi exercendum, ipsum cum omni favore, quo poteritis, admittatis. In cujus rei testimonium sigillum

96. commune Universitatis prædict. apposuimus. Dat. Cantabrigiæ ultimo die mensis Maii anno salutis humanæ millesimo quingentesimo vicesimo secundo.

LXXXV.

Queen Elizabeth's Letters-patent to the University of Cambridge, for licensing Preachers.

Strype's
Life of Abp.
Parker.
Appendix,
num. 38.

Et ulterius de gratia nostra speciali, ac ex certa scientia, et mero motu nostris, pro nobis, hæredibus et successoribus nostris, damus et concedimus præfat. cancellario, magistris, et scholaribus Universitatis nostræ Cantabr. prædictis, et successoribus suis; quod ipsi et eorum successores, *juxta consuetudinem suam laudabilem antehac ibidem usitat. ac privilegia in ea parte indult.* imperpetuum, habeant authoritatem et facultatem eligendi et emittendi singulis annis duodecim doctores, magistros sive graduatos, ad prædicandi officium idoneos. Qui sic electi, et sub Universitatis prædict. sigillo communi admissi, ubicunque in et per totum regnum nostrum Angliæ et Hiberniæ, populo et clero verbum Dei prædicare et seminare poterint, licentia ordinariorum locorum super hoc minime requisita.

LXXXVI.

Bishop Grindall's Letter to Bullinger, relating to the Contests about the Habit.

Reverendo in Christo D. Henrico Bullingero, Tigurinæ Ecclesiæ Ministro fidelissimo, ac Fratri in Domino charissimo, Edmundus Grindallus, &c. Salutem in Christo.

E Biblioth.
Tigurin.
Strype's
Life of Abp.
Grindal.
Appendix,
num. 11.

Clarissime D. Bullingere, ac frater in Christo charissime, D. Joannes Abelus tradidit mihi literas tuas dominis Wintoniensi, Norwicensi, et mihi communiter inscriptas, una cum scripto vestro de vestiaria. Quorum ego exemplaria ad dominos Wintoniensem et Norwicensem statim transmisi. Quod ad me attinet, ago tibi maximas gratias, tum quodstrarum ecclesiarum tantam curam geris, tum quod me hominem tibi ignotum participem facis eorum, quæ ad nostros de rebus controversis scribuntur. Vix credibile est, quantum hæc controversia de rebus nihili ecclesias nostras perturbarit, et adhuc aliqua ex parte perturbat. Multi ex ministris doctioribus vide-

bantur ministerium deserturi. Multi etiam ex plebe contulerunt consilia de seccessione a nobis facienda, et occultis cœtibus cogendis. Sed tamen, Domini benignitate, maxima pars ad sanio rem mentem rediit. Ad eam rem literæ vestræ, pietatis et prudentiæ plenæ, plurimum momenti attulerunt. Nam eas Latine ac Anglice typis evulgandas curavi. Nonnulli ex ministris, vestro iudicio atque autoritate permoti, abjecerunt priora consilia de ministerio deserendo. Sed et ex plebe quamplurimi mitius sentire cœperunt, postquam intellexerunt ritus nostros a vobis, qui iisdem non utimini, nequaquam damnari impietatis : quod ante publicatas vestras literas nemo illis persuasisset. Sunt tamen qui adhuc manent in priori sententia. Et in his D. Humfredus, et Samsonus, &c. Nihil vero esset facilius quam regiæ majestati eos reconciliare, si ipsi ab instituto discedere vellent. Sed cum hoc non faciunt, nos apud serenissimam reginam ista contentione irritatam, nihil possumus. Nos, qui nunc episcopi sumus (eos dico, qui in Germania et aliis locis exulaverant) in primo nostro reditu, priusquam ad ministerium accessimus, diu multumque cōtendebamus, ut ista de quibus nunc controvertitur, prorsus amoverentur. Sed cum illud a regina et statibus in comitiis regni impetrare non potuimus, communicatis consiliis, optimum iudicavimus non deserere ecclesias propter ritus non adeo multos, neque per se impios, præsertim cum pura Evangelii doctrina nobis integra et libera maneret. In qua ad hunc usque diem (utcunque multi multa in contrarium moliantur) cum vestris ecclesiis, vestraque confessione, nuper edita, plenissime consentimus. Sed neque adhuc pœnitet nos nostri consilii. Nam interea, Domino dante incrementum, auctæ sunt ecclesiæ, quæ alioque Eccebolis, Lutheranis, et semipapistis prædæ fuissent expositæ. Istæ vero istorum intempestivæ contentiones de adiaphoris, (si quid ego iudicare possum) non ædificant, sed scindunt ecclesias, et discordias seminant inter fratres, &c.

The rest of the letter relating to Scotland shall be omitted. The date and the ceremony of taking leave stands thus.

Londini 27 Augusti, 1566.

Deditissimus tibi in Domino

EDMUNDUS GRINDALLUS, Episcopus Londinensis.

LXXXVII.

The Form of the Excommunication of the Bishop of Gloucester, pronounced in the Synod an. 1571.

Petyt. MSS. In Dei nomine, Amen. Cum nos Matthæus providentia
 Strype's divina Cantuarien. Archiepiscopus, totius Angliæ Primas et
 Life of Abp. Metropolitanus, rite et legitime procedens, reverendum in
 Parker, in Append. Christo patrem Dom. Richardum Glocestren. episcopum, ac
 April 20, commendatarium episcopatus Bristolien. alias propter suam
 A.D. 1571. contumaciam et manifestum contemptum in non comparendo
 in Capella Regis Henrici septimi. coram nobis, neque per se, neque per procuratorem suum, in
 hac præsentì convocatione, sive sacra synodo provinciali in
 domo capitulari ecclesiæ cathedralis D. Pauli, London, tertio
 die præsentis mensis Aprilis inchoata et celebrata, ac de die in
 diem, usque ad hos diem et locum continuata et prorogata,
 juxta citationem et monitionem ultimam et peremptoriam alias
 sibi ex parte nostra fact. pronuntiaverimus contumacem, pœ-
 nam contumaciæ, sive hujusmodi ad arbitrium nostrum reser-
 vando. Nos Matthæus archiepiscopus antedict. pœnam con-
 tumaciæ dicti episcopi et commendatarii nunc declarando,
 eundem episcopum et commendatarium de consensu confratrum
 nostrorum nobiscum in hac præsentì convocatione assidentium,
 excommunicamus in hiis scriptis.

97.

LXXXVIII.

Part of the Queen's Mandate to the Archbishop, for confirming and consecrating the Bishop of Man upon the Earl of Derby's Nomination.

Grindal.
 Regist.
 A.D. 1576.

Cum per dilectus et perquam fidelis consanguineus noster
 Henricus comes Derby, ex indultis et largitionibus progenito-
 rum nostrorum, regum et principum hujus regni nostri Angliæ
 progenitoribus suis comitibus Derb. ab antiquo fact. et elargit.
 eidem comiti, hæredibus et successoribus suis rite et legitime
 confirmatis, et longo usu stabilitis, jus habeat patronatus,
 nominationis, præsentationis, et dispositionis episcopatus in
 insula de MAN, Eboracen. provinciæ, in qualibet ejus vaca-
 tione; ita quod dict. episcopatu quacunque ratione vacante
 bene liceat eidem comiti, hæredibus et successoribus suis quam-
 cunque personam dignitati hujusmodi idoneam, et habilem, ad

eundem episcopatum nominare, &c. Sciatis igitur quod nos eandem præsentationem acceptavimus, et assensum et favorem nostrum commendavimus, &c.

Then follows the queen's order to the metropolitan, to confirm and consecrate the person nominated.

LXXXIX.

The Address of the London Clergy to the Convocation.

Billa London.

To the Reverend Fathers in God the Lord Bishops, and the rest of the Convocation.

I. Whereas throughout the whole realm the benefices of London are the smallest, and the ministers the poorest, the sheape well clad, and the pastors go naked, and yet a reasonable order taken for tythes by statute; and no order observed in payinge ther tythes, because they are for their riches stoute, and will not paye; and because they maye have lawe at hande, they use many shiftes, as may appeare, we humbly require that all collusion against her majesties laws, and their pastors, be punished by triple damages to the behoofe of the partie plaintyffe, yff that so fall out that by judgment of lawe they be convinced of them.

E Cod. MS.
Antonii a
Wood in
Musæo Ash-
moleano,
F. 30.
num. 8494.

1. The stranger must deliver 300*l.* to the landlorde, the landlorde must have the use of the 300*l.*, the stranger must have a fair house for a pepper corn rent, and so the parson must have his tythe of a pepper corn.

2. The landlord maketh a tenant a lease after 6*l.* per annum, but he must pay for time by obligation 160*l.* in five years, so the rent is 38*l.* per annum by acquittance, and the parson must receive but after 6*l.*

3. If a house have a well, and be worthe 20*l.* per annum, and so lett, yet the tenant payeth 16*l.* for the well, and 4*l.* for the house, after which 4*l.* the parson receaveth tythes.

4. If a howse be worthe 10*l.* per annum, they will let the house with an old bedstead and a forme called implements, after 8*l.* for implements, and 2*l.* for rent for the parson to receive tythes by.

A breefe
note of a
few col-
lusions, and
of the weak-
est, by the
which the
poore clea-
rgie of Lon-
don are de-
ceived, to
shew our
complaint to
be just.

5. If a howse be worth 20*l.* per annum, ther shall be two leases made; the one after 40*s.* yearly, the other after 18*l.*; the first to shewe the parson to receave his tythe by, the other to pay the landlorde by.

6. If a house be worth 20*l.* per annum, the tenant shall pay 4*l.* rent, by lease, and 16*l.* upon a covenant, so the parson shall receave after 4*l.* And they have a hundred such devises to couden us withall.

II. We also humbly beseeche your fatherhoods and wisdomes to tender in greate pitie the pore clergie of London, whose benefices, by the mallice of riche men, have already passed a *melius inquirendum*, and being racked a-new in her majesties books: so that the shewe being great, and the livings small, that ther are not six competent benefices for six learned men in the whole city, as may well be proved; that it may please you to let loose the statute of privye tythes, with this proviso, that they may be examined by others of ther gayne. For in this whole citee yearlie ther is not 40*s.* yearlie paied for privy tythe; so that a freeholder of 40*l.* in the country paieth more to the parson than a citizen worth 10,000*l.*

III. Moreover forasmuch as divers English preachers, disallowing the state ecclesiastical in England, doe publicklye read beyond the seas in Flanders, as in Antwerp, in Germany, &c. These are to desire you by proclamation otherwise to provide that none hereafter shall pass over ther to read publicklye anie lectore unless he give testimony to his ordinarie of his conformitie before he goe, because by frequenting ther lectures we receive our parishioners from beyond the seas verie contemptuose, and rebelling against our state ecclesiastical. And if he or they shall so do contrary to any act made, that then the said partie or parties shall be held as excommunicate upon ther return into England againe.

IV. Item. Because most of the parsonage howses in London are now in citizens' hands, and unrecoverable, we humbly require that such clergiemmen as have no parsonage houses, or not convenient howses, if they dwell in any place of the citie, it may be interpreted for them as a residence.

V. Moreover, because that is generally known throughout the whole citie that no one parish or parson can agree to-

gether, and that the cause thereof is the privatt readinge in howses, and our publick crienge owt against usurie, we humbly require that these readers may be forbidden, and some straight punishment for this general and horrible sinne may be appointed, or else the preachers hereafter commaunded to hold the peace.

VI. Also forasmuch as all small almes is geven to the poore, and lesse now to the universities than ever was at the deathe of many riche men, but yett much geven to sectaries and jesuitts, these are to require you that it be enacted, that no straunge preacher shall enter withine anie man's charge without conference had with the parson, vickar, or curate of the same church, uppon paine of imprisonment for one monthe; and that no scrivener or anie other shall presume to make anie will, unless the parson, vickar, or curate be ther present, upon pain of imprisonment for two months.

VII. Also, forasmuch as no manne is in securitie, what prooffe may serve him for reading the Articles, if either his parishioners have forgotten the same, or will not testifie the same, we humbly require that it be enacted, that no man be driven to make prooffe of reading his articles after three yeares quiet possession; so that he doe read them withine one monthes warninge, beinge at anie time thereunto required.

VIII. Moreover, forasmuch as manie citizens become members of the French and Dutch Church, and refuse contemptuously ther owne Church, we desier that it be enacted, that no cittizen shall at anie time become anie member or elder in any straunge Church, but that they keep ther own Church, and communicate ther uppon payne of painge to the poore box of ther owne parrishe, for everie monthe so continewinge, the summ of 20s., or else to be committed to prison at the ordinaries appointment, and duringe his pleasure.

IX. Also, for as much as the canons made in the convocation 1571, be stronge enoughe to rule us of the clergie, because of ovr othe of canonical obedience, and be utterlie contemned of the laitie, because they be not confirmed by parliament, so that in manie places of the citie the stocke of the Church is lett out to usurie, and the riche men have all the mony in their hands, and the parishioners keep revestries at ther pleasures, and chose church-wardens and sidemen contrarie to those canons, without the consent of the parson, we

humbly require that those canons be made stronger to bridle all, or that the poore ministers be set free from them.

Your poore orators, the miserable
Clergie of London.

Read and committed 10 Febr. 1580.

XC.

A Draught of Archbishop Grindal's Resignation of the Archbishopric of Canterbury.

Paper-office.
A.D. 1583.

In Dei nomine, Amen, coram vobis publicis et authenticis personis ac testibus fide dignis hic præsentibus. Ego Edmundus providentia divina Cantuariensis Archiepiscopus, totius Angliæ Primas et Metropolitanus, primum oculorum et visus solatio jampridem orbatus et diversis aliis peracerbis morbis et infirmitatibus postea supervenientibus prope confectus, ac propter ingravescentem et senilem ætatem me ita corpore debilem et invalidum esse sentiens, ut diutius amplissimi hujus archiepiscopatus munus et gravissimum pondus utiliter fructuose et pro dignitate sustinere non possum; et ad tranquilliorē vitæ rationem me conferre cupiens, et ex certis aliis causis veris, justis, æquis, et legitimis, me et animum meum in hac parte specialiter moventibus, ab onere, cura, solitudine, et regimine dicti mei archiepiscopatus Cantuariensis eximi penitus et exonerari volens et affectans, eundem archiepiscopatum meum Cantuariensem cum suis juribus, honoribus, dignitatibus, prærogativis, præeminentis, et pertinentis universis, ex certa scientia, animo deliberato, non vi, metu, dolo, aut ullis aliis sinistris mediis inductus, pure, sponte, simpliciter, et absolute, in manus excellentissimæ ac illustrissimæ in Christo principis et dominæ Elizabethæ Dei gratia Angliæ, Franciæ, et Hiberniæ reginæ, &c. cujus singulari favore et benignitate dictum archiepiscopatum consecutus sum, resigno: ac re ac verbo vacuum dimitto, jureque, titulo, et possessione meis in eodem archiepiscopatu præhabitis et hactenus mihi quovis modo competentibus, renuncio, cedo, atque ab iisdem in his scriptis totaliter et expresse recedo, omnibusque modis me abdicō.

XCI.

Part of Hosius, bishop of Corduba's Letter to the Emperor Constantius.

Τί γὰρ τοιοῦτον γέγονε παρὰ Κώνσταντος; τίς ἐπίσκοπος Ἀθανάσιος ἐξωρίσθη; Πότε κρίσεως ἐκκλησιαστικῆς μέσος γέγονε; Ποῖος αὐτοῦ Παλατῖνος ἠνάγκασε κατὰ τινος ὑπογράψαι, ἵνα οἱ περὶ αὐτοῦ Παλατῖνος ἠνάγκασε κατὰ τινος ὑπογράψαι, ἵνα οἱ περὶ Οὐάλεντα τοιαῦτα λέγωσι; παῦσαι, παρακαλῶ, καὶ μνήσθητι ὅτι θνητὸς ἄνθρωπος τυγχάνεις· φοβήθητι τὴν ἡμέραν τῆς κρίσεως, φύλαξον σεαυτὸν εἰς ἐκείνην καθαρὸν, μὴ τήθει σεαυτὸν εἰς τὰ ἐκκλησιαστικά, μηδὲ σὺ περὶ τούτων ἡμῖν παρακελεύου. Ἄλλὰ μᾶλλον παρ' ἡμῶν σὺ μάθανε ταῦτα. Σοὶ βασιλείαν ὁ Θεὸς ἐνεχείρισεν, ἡμῖν τὰ τῆς Ἐκκλησίας ἐπίστευσε; καὶ ὥσπερ ὁ τὴν σὴν ἀρχὴν ὑποκλέπτων ἀντιλέγει τῷ Διαταξαμένῳ Θεῷ· οὕτω φοβήθητι, μὴ καὶ σὺ τὰ τῆς Ἐκκλησίας εἰς ἑαυτὸν ἔλκων, ὑπεύθυνος ἐγκλήματι μεγάλῳ γένη. Ἀπόδοτε, γέγραπται, τὰ Καίσαρος Καίσαρι, καὶ τὰ τοῦ Θεοῦ τῷ Θεῷ. Οὔτε τοίνυν ἡμῖν ἄρχειν ἐπὶ τῆς γῆς ἔξεστιν. Οὔτε σὺ θυμῶν ἔξουσίαν ἔχεις, Βασιλεῦ. Ταῦτα μὲν οὖν κηδόμενος τῆς σῆς σωτηρίας γράφω.

XCII.

Part of St. Athanasius's Remonstrance against the Proceedings of the Emperor Constantius.

Δεινὰ μὲν οὖν καὶ πέρα δεινῶν τὰ τοιαῦτα; πρέπουσα δὲ πρῶξις ὅμως τῷ σχηματιζομένῳ τὰ τοῦ Ἀντιχρίστου. Τίς γὰρ βλέπων αὐτὸν ἐξάρχοντα τῶν νομιζομένων ἐπισκόπων, καὶ προκαθήμενον τῶν ἐκκλησιαστικῶν κρίσεων, οὐκ ἀκολούθως ἂν εἴποι τούτ' εἶναι τὸ διὰ τοῦ Δαυιὴλ εἰρημένον Βδέλυγμα τῆς ἐρημώσεως; Τὸν γὰρ χριστιανισμόν περιβεβλημένους, καὶ εἰς τοὺς ἁγίους τόπους εἰσερχόμενος, ἐστηκώς τε ἐν αὐτοῖς ἐρημοὶ τὰς ἐκκλησίας. Παραλύων τοὺς τούτων κανόνας, καὶ τὰ ἴδια κρατεῖν βιαζόμενος, ἅρα τίς ἔτι τολμᾷ λέγειν τὸν καιρὸν τοῦτον εἰρηνικὸν εἶναι χριστιανῶν, καὶ οὐ μᾶλλον διωγμὸν; καὶ διωγμὸν οἷος οὔτε πώποτε γέγονεν. Οὔτε τάχα τις ποιήσει ποτὲ τοιοῦτον, εἰ μὴ ἅρα ὁ Υἱὸς τῆς Ἀνομίας.

Heads of a Conference agreed upon between the King and the Ministers, touching Church Discipline, for the first and second Day's meeting.

At Holyrood House, the 17th of February, 1585.

A.D. 1585.

Paper-office.

It is condescended to in reasoning, that the name of a bishop hath a special charge and function annexed to it by the word.

His election to be a presentation to be directed by his majesty to the general assembly, of whom he shall receive his admission, provided always that the particular flocks being forewarned, have place to oppone, as in the election of other ministers. That he shall be appointed to a special charge, where he shall keep residence, and there serve the cure as a minister.

That the general assembly shall choose out a senate, or presbytery, of the most learned and godly within his bounds, to be limited to him, to have the oversight of, and visitation, which shall be only used by the advice of the presbytery.

By the senate's advice he shall receive all presentation of ministers within the said bounds, and by their advice proceed to their trial and collation, which collation shall be subscribed by the bishop or commissioner, and the greatest part of the said senate or presbytery in assembly lawfully convened; and by himself shall be done nothing but that which a particular minister or moderator is astricted to by his office.

If he be slanderous in his life, or doctrine, he shall be answerable to the general assembly to be appointed immediately, upon complaint made thereof to his majesty, by one or two of the ministers, and if he be so found in deed, to be deprived by them. Whereupon another shall be immediately presented by his majesty thereto.

If he admit or deprive without the consent of the most part of the senate, the deed to be null and void, and the doing thereof a sufficient cause of deprivation to him.

The number of the senate shall be appointed at the first by the general assembly, with his majesty's advice, and if any of the persons appointed thereupon depart this life, another to be chosen in his place by the synodal. His power to be

“ordinis causa non jurisdictionis.” He shall be visitator within his own bounds to be appointed to him, and where he may not conveniently discharge the whole bounds, called of old the diocess, commissioners shall be presented by his majesty to the general assembly, and shall be tried and admitted by them to the office, as the bishops are to theirs, and to be accountable only to the general assembly. And the bishops to have no power within the bounds committed unto them, no more than they have within his.

The commissioners being elected (as is said) to have a like senate-power in the execution of their office as the bishops have.

The bishops and commissioners shall visit the presbyteries, and the moderator of the presbyteries shall visit the particular churches.

The same cause of life and doctrine to deprive a bishop that deprives a minister.

The presbyteries of persons ecclesiastical shall be erected in convenient places by the general assembly, with the advice of his majesty and commissioners, and the whole realm to be conveniently divided to that effect.

Where and in what presbytery the person presented is to be admitted minister, upon advertisement made to the bishop, or commissioner, he shall repair thither immediately with his senate or presbytery, and upon trial taken, admitted or refused.

Assemblies.

Synodal assemblies to be twice in the year.

First synodal to be the 17th of April.

(1.) General assembly to be the 10th of May next in Edinburgh, or where his majesty shall otherwise appoint, and to be convocate by his majesty's proclamation, and missives to the bishops and commissioners. And in the said assembly, where, God willing, his highness means himself to be personally present, his majesty, by the advice of such of the number present as he shall adjoin unto him, shall advise and set down good and solid order for the convocating and appointing all other circumstances belonging thereto in time to come.

Moderator of the first general assembly shall be chosen by most voices.

Jurisdiction.

• Jurisdiction of the Church consisteth in doctrine, ministration of the Sacraments, and exercises of discipline, and correction of manners by excommunication and other usual censures of the Church, as likewise absolution of the same.

That there are some offences which properly appertain to the Church to enquire upon, as heresy, apostacy, witchcraft, idolatry, adultery, and all other frailty in the flesh : blasphemy, perjury, usury, abusing of the Sacraments, breaking of the Sabbath.

That there are other which the Church may punish by the censures, and not *cognosce* upon, as slanderous, strickers, open disobeyers to their parents, smoulderers of children, and such like ; and notwithstanding that the civil magistrates have remitted the penalty of the law to the committer.

That Mr. Robert Montgomery, bishop of Glasgow, shall be represented to the general assembly, and there purge his offence, and be orderly reconciled to the Church.

That Mr. William Watson, in his odious comparison of his majesty to Jeroboam, and making him inferior to him, is thought to have committed an offence worthy to be amended, and purged in open pulpit, and which the ministers present shall wish and desire him to do, the rather for his promise made to give satisfaction.

Apud Holyrood House, the 19th of February, 1585.

100. It is agreed and thought meetest, that the subdivisions of divers causes of deprivation, voting in parliament, commissioners' and moderators' stipends, and the setting a stedfast and continual order of the ministers' stipends, shall be remitted to a new conference, to be appointed by his majesty here at Holyrood House, or where it shall please him to be, for the time of eight or ten days before the next general assembly, some chosen men of the ministry, and such others as his majesty shall think meetest for that purpose, being warned there.

Touching the fasting general, (that is, a general fast) it is remitted to the general assembly, the particular to every particular Church, according to their zeal, and the present occasion.

XCIV.

Mr. Secretary Knolly's Letter to Sir Francis Walsingham.

Touching the writing I sent unto you yesterday, concerning the superiority of bishops, I must needs say unto you, that my lord archbishop, and the rest, take a dangerous course against her majesty's supreme government, for they do claim a superiority of government to be knit to their bishoprics *jure divino* directly. Although they do grant that all the superiority that they have as bishops, that they have the same by way of mediation of her majesty, and their meaning is, that because her majesty doth make them bishops, whereunto their superiority is knit (as they suppose), therefore they do grant it by way of mediation, they have their superiority of the queen's majesty, nevertheless when they are once made bishops by her majesty, then they do claim their said superiority to be due unto them as knit unto their bishoprics directly *jure divino*, how weak soever their reasons be to maintain their claimed superiority. But my lord treasurer is partly persuaded, that the said bishops do not deny that their superiority is holden by them as a grant given unto them directly from her majesty, and that they do not claim their said superiority directly to be given unto them, when they are bishops *jure divino*, that is to say, directly from the word of God. But I must needs say, that my lord archbishop of Canterbury, and my lord bishop of Winchester, have protested and plainly avowed unto me, that the bishops of England have a superiority over their inferior brethren directly *jure divino*, and prove their said claim of superiority to be knit to their bishoprics directly *jure divino*: and moreover, the archbishop of Canterbury's book against Cartwright (when the said bishop was but Dr. Whitgift) doth manifestly declare the said archbishop's opinion in that behalf in many places of the said book: nevertheless, if my lord-treasurer would, in her majesty's name, demand of the said bishops, whether they would claim any such superiority directly *jure divino*, to be due unto them to the prejudice of her majesty's supreme government, then I do verily think that they durst not stand to their claimed superiority, unless it be upon hope that her majesty would yield unto them their claimed superiority, to the prejudice of her supreme government, and to the light regard

Paper-office
March 20,
A.D. 1588.

of the opening the high-way to popery; to be made by the Jesuits to follow upon the same.

XCV.

Regist.
Fletcher.
A.D. 1595.

Orders which the Right Reverend Father, Richard, Lord Bishop of London, desires to be assented unto, and carefully observed by every Ecclesiastical Officer exercising Jurisdiction Ecclesiastical under him, within the Diocese of London. Dat. March the 8th, 1595.

1. *General observations of the constitutions.*

Touching the constitutions lately imprinted, published, and by her majesty commanded to be observed, that as well every judge, as all registers, apparitors, and all other inferior ministers, do every one of them, so far as they do any way concern himself, diligently and carefully put the said constitutions, and every part of them, in execution, and do within the time in any of the said constitutions limited, return certificates to his lordship of all such matters as they by the said constitutions are to certify.

2. *Curates and school-masters.*

It is desired, that none be received or admitted to serve as curate by any judge ecclesiastical within this diocese having authority to grant such license, nor to teach either grammar or petites, either publicly or privately, who shall not before he be admitted exhibit unto the judge either letters testimonial, commonly called Dimissories, from the ordinary in whose diocese he continued last for the space of one year before, or letters testimonial under the hands of the masters and seniors, or fellows of the college, in Cambridge or Oxford, where he had his last residence one year before, or a true certificate under the hand-writing of the next justice of the peace to the parish where the party dwelt for one year before; together with the subscription of the parson, churchwardens, and other honest near neighbours of the said parish, testifying his honest conversation of life, and his obedience to her majesty's government ecclesiastical, and that for learning he be qualified as the constitutions require in a deacon.

3. *Judges' seals.*

It is desired, that no ecclesiastical judge of this diocese shall have any other seal, but one for the sealing of all matters incident to his office, which seal shall always be kept by himself, or his lawful substitute exercising jurisdiction for him, remaining within the jurisdiction of the said judge, which seal shall

contain the title of the jurisdiction which the said judge executes.

For avoiding the grievances so much complained against the judges *in partibus*, for the multiplicity of their courts, whereby the subject is drawn to an infinite charge, and to a great confusion. It is desired, that neither archdeacon nor commissary do keep court any oftener than as twenty years ago they usually did, and that, in their accustomed and anciently used places of court: and that neither the commissary nor archdeacon do keep any court within the seven days at the soonest the one of the other.

It is desired, that no parish which is warned to any visitation, either of the bishop himself, or of any archdeacon or commissary, do pay for the exhibiting any bill of presentment but only once in the year, when the first bill is brought in, and then but fourpence. Neither that any registry or other officer do take any thing for any of the rest of the bills, which the said churchwardens do the other three quarters usually exhibit to the court.

It is desired that no ecclesiastical judge of the diocese of London do speed any judicial act whatsoever, assuming any to write or speed the same, save only the ordinary registry of that court, or his lawful deputy. And that the registraries *in partibus* do take that order by themselves, and their lawful deputies, that they do give a special attendance on the judges at their ordinary courts; and likewise to attend the judge at such convenient times as the parties who do at extraordinary times *implorare judicis officium* shall likewise require the registry's attendance, and that no bonds be taken but in the presence of the registry or his deputy.

It is desired that all ecclesiastical judges exercising jurisdiction within the diocese of London have a special regard to substitute none to keep any court for them (if he be a minister) who is not a public preacher, and a beneficed man. If he be no minister, not any under the degree of bachelor of law, and a man of modest and good conversation; the want of which care has bred great contempt and disdain to the said courts.

It is desired that whosoever prays process against any party "ad respondendum articulis ad promotionem partis," shall be by the judge denied that process, unless he first deliver the articles, or the effect of them, in writing to the said judge, and

4. Multiplicity of courts.

5. Bills of presentment.

101.

6. Judges not to proceed without the registry.

7. Substitutes to judges.

8. Promotors voluntarii in causes of correction.

offer *cautionem obligatoriam* to the bishop of London, to prosecute the cause without letting it fall, or making any composition, or using any collusion to frustrate the direct judicial course thereof.

9. *Crimina
graviora to
be heard
only in open
court.*

It is desired that no ecclesiastical judge whatsoever of the diocese of London do hear any cause of incest, adultery, fornication, simony, notorious offensive drunkenness, or any other public and scandalous offence, but only in open court; neither that any of them do appoint any penance to be done for any such offence, but publicly in open court; neither that after they have the lord bishop's consent they do make any commutation but publicly in open court.

10. *The time
of perform-
ing of public
penance.*

It is desired that no ecclesiastical judge of the diocese of London do appoint any public penance for any of the aforesaid offences to be done at any other time save on the Sunday at morning prayer, betwixt the reading of the first lesson and the Ten Commandments, and that the form of confession of the offender's fault be conceived by the judge, and set down in writing by the registry, and a copy of it delivered by the registry to be pronounced by the party offending, with an audible voice, so as the whole congregation may hear it, at the time of his penance doing.

11. *Pro-
ceedings
ex officio.*

Whereas great offence has heretofore been given against the ecclesiastical judges' proceedings *ex-officio*, upon an apparitor's complaint, or without any other good ground or presentment. It is desired that the judges of every court ecclesiastical, of the diocese of London, do give their consent to an uniform order not to proceed in any matter of office, but upon presentment or notoriety of the offence. Neither so ordinarily as in some jurisdictions heretofore hath been used to vex the subject, by appointing *promotorem necessarium*, so to draw a charge of paying for articles and the promoters' fees, many times for small offences, and without any great ground of infamy against the party to warrant the judges' proceedings. And that the judges will likewise take order where there is *clamorosa insinuatō*, or public infamy raised, which is by the churchwardens concealed, and not presented; in that case, the judge concealing *nomen delatoris* to send the crime and the fame thereupon raised to the churchwardens of the parish where the offence is related to be, and to cause them to inform themselves against the next court following, or sooner, (if they so can) of the said

fame, and to send unto the judge of that court, who sends unto them, their answer in writing unto the said delation. So shall the court to which the cause is first related be possessed of that cause, and sin shall not escape unpunished.

It is desired that no significavit be returned into her majesty's high court of Chancery by any ecclesiastical judge whatsoever, who has not his commission immediately from the bishop for doing thereof. But that all archdeacons, and other judges ecclesiastical, do carefully observe the law in that case provided, to send letters of request to the bishop in case where any significavit is by them decreed, certifying the contempt and the names of the parties, according to the usual form therein by law appointed. ^{12. Significavit.}

It is desired that no ecclesiastical judge of the diocese of London shall lay any pecuniary mulct upon any offender before public penance enjoined as before, and the party delinquent have judicially prayed commutation of it. ^{13. Pecuniary mulct.}

To the end that I may the better hereafter answer such complaints as shall be made against the ecclesiastical courts of this diocese, in compounding or overslipping enormous offences complained of unto them; it is desired to be assented to by all judges exercising jurisdiction ecclesiastical within the diocese of London, that every one of them do once every year, namely, betwixt Michaelmas and Allhallowtide, certify to me the bishop of London, under the hand-writing of every judge and his several registraries, the names and surnames of all persons who are presented or detected unto them for any incest, adultery, fornication, simony, notorious offensive drunkenness, or any other public scandalous offence; how many of them have performed any public penance, and what it was, together with the day and form he did it in; how many of them have stood excommunicate for not appearance; how many in not performing the penance so enjoined them, and how long they have stood so excommunicate; how many of them have appealed from the judge that proceeded against them; what court has inhibited the judge, and how long they have stood inhibited for that cause; how many of them have had their penance commuted, by what warrant it has been done, and to what uses the money so ordered to be commuted for has been employed. ^{14. Certificate of proceeding in causes of correction.}

15. *The
number of
apparitors.*

It is desired that every ecclesiastical judge exercising jurisdiction within London diocese, shall by Easter next certify under his hand-writing to me the bishop the number of all the churches within every deanery subject to his jurisdiction, the names of all the apparitors who do serve under him, and the names of every deanery for which he serveth, to the end that the multiplicity of them may be restrained according to the constitution in that behalf lately authorized.

16. *Apparitors not to be administrators, nor collectors bonorum.*
102.

It is desired that no apparitor whatsoever be appointed administrator of the goods of any defunct, unless he be *proximus consanguineus* to the party, or a creditor *bonæ fidei* without collusion; neither any letters *ad colligendum* (which are not to be granted without the bishop's own consent to any party,) shall be granted to any apparitor.

17. *Apparitors to make true returns.*

It is desired that every apparitor be bound by the judge under whom he serves, not to vex the subject with extortion, and that he shall make a true return of all processes committed to him to execute; that he shall not keep back any excommunication, suspension, interdiction, sequestration, or other matter incident to his office delivered him to execute, but shall make true return of all matters committed to his charge to execute, according to the time by the judge of the court limited unto him.

18. *Care of churchwardens' oaths.*

It is lastly desired, that the archdeacons shall require all parish priests, especially those that preach at any visitation, in their sermon to stir up the churchwardens and sidemen to a respective care and conscience of their oaths, in discharging for their parts their duties, for the punishment of sin, and all offences, which they are charged by the articles delivered to them to make inquiry of.

XCVI.

*The Absolution of Attorney-General Coke and the Lady Hatton,
for marrying without Banns or License,*

Regist.
Whitgift.
part 3.
fol. 108.
A.D. 1598.

. . . . Claves et auctoritatem Ecclesiæ in ea parte negligendo, eoque intuitu in majoris excommunicationis sententiam, poenasque de jure ecclesiastico ob dictum crimen debet. incideritis, et singuli vestrum inciderit. Vos tamen ac unusquisque vestrum legum ecclesiasticarum offensionem in ea parte jam sentientes

per magistrum Barker in legibus baccalaureum, Almæ Curie Cant. procuratorem generalium unum, vestrum in hac parte procuratorem legitime constitutum, a nobis humiliter petiistis, ac quilibet vestrum petiit, ut vobis et vestrum cuilibet de aliquo remedio opportuno gratiose in hac parte providere velimus. Nos igitur considerantes quod errore tantum, ac jurium in ea parte ignorantia, animo minime obdurato, nec contemptui dedito, in diversas pœnas incidistis, quodque in veræ vestræ resipiscentiæ testimonium nobis in hac parte vos submisistis, ac unusquisque vestrum per procuratorem suum superscript. se submitit; cum Ecclesia Christi nulli ad se redeunti gremium claudat, nos, uti diximus, vestris humilibus in ea parte supplicationibus inclinantes, et annuentes, (facta primo fide) per præfatum magistrum Barker vestrum in hac parte procuratorem prædictum in animam et nomine singulorum et unuscujusque vestrum de parendo juri, et stando mandatis Ecclesiæ, tam vos præfatos Edwardum Coke arm. ac dominam Elizabetham Hatton, quam te prænominatum Henricum Boswell presbyterum, ac dominum Thomam Burleigh baronem Burley, &c. a quibuscunque excommunicationis majoris seu minoris, suspensionis, ac interdicti sententiis, et aliis censuris et pœnis ecclesiasticis quibuscunque, in quibus de jure facto, aut canone innodati et irretiti ratione præmissorum fuistis, quantum in nobis est, et quantum de jure, legibus, statutis, constitutionibus et canonibus Ecclesiæ Anglicanæ possumus, auctoritate nostra metropolica absolvimus, et pro absolutis ad omnem juris effectum per præsentem haberi volumus: pristinoque vestro statui, quantum in nobis est, auctoritate prædicta, vos, et quemlibet vestrum, restituimus, ac pro sic restitutis pronunciamus, decernimus, et declaramus per præsentem. Ac in omnium et singulorum, sic per nos (ut præfertur) gestorum fidem et testimonium, has nostras litteras testimoniales fieri decrevimus.

Dat. sub sigillo nostro quo in hac parte utimur septimo Novembris anno Domini 1598.

XCVII.

Pope Clement VIII.'s Plenary Indulgence to the Irish, to encourage them to an Insurrection against Queen Elizabeth.

CLEMENS PAPA VIII.

Paper-office.
A.D. 1600.

Universis et singulis venerabilibus fratribus, archiepiscopis, episcopis, et prælatis, necnon dilectis filiis principibus, comitibus, baronibus, ac populis regni Hiberniæ, salutem et apostolicam benedictionem. Cum jamdiu, sicut accepimus, vos Romanorum pontificum prædecessorum nostrorum, ac nostris, et Apostolicæ sedis cohortationibus adducti, ad vestram libertatem recuperandam, eamque adversus hæreticos tuendam, et conservandam, bonæ memoriæ Jacobo Geraldino primum, qui durum servitutis jugum vobis ab Angliis sanctæ Romanæ Ecclesiæ desertoribus impositum, summo animi ardore, depellere, dum vixit, pro viribus procuravit. Deinde Johanni Geraldino ejusdem Jacobi consobrino, et novissime dilecto nobili filio viro Hugoni principi Oneil, dicto comiti Tironensi, baroni Dungananiæ, et capitaneo generali exercitus Catholici in Hibernia, conjunctis animis ac viribus præsto fueritis ac opem et auxilium præstiteritis, ipsique duces, et eorum milites, manu domini exercituum illis assistentes, progressu temporis plurima egregia facinora contra hostes viriliter pugnando præstiterint; et in posterum præstare parati sint. Nos, ut vos, ac dux, et milites prædicti alacrius in expeditionem hanc contra dictos hæreticos opem in posterum etiam præstare studeatis, spiritualibus gratiis et favoribus vos prosequi volentes, eorundem prædecessorum nostrorum exemplo adducti, ac de Omnipotentis Dei misericordia, ac beatorum Petri et Pauli Apostolorum ejus, auctoritate confisi, vobis omnibus et singulis, qui prædictum Hugonem ducem, ejusque exercitum, Catholicæ fidei assertores et propugnatores sequemini, ac illis vos adjunxeritis, aut concilio, favore, commeatibus, armis, aliisque bellicis rebus, seu quacunque ratione eis in hac expeditione operam dederitis; ipsis Hugoni duci, ejusque exercitus militibus universis et singulis, si vere poenitentes, et confessi, ac etiam si fieri poterit, sacra communione refecti fueritis, plenariam omnium peccatorum suorum veniam, et remissionem, ac eandem quæ proficiscentibus ad bellum contra Turcas, et ad recuperationem Terræ sanctæ per Romanos pontifices concedi solita est,

misericorditer in Domino concedimus. Non obstantibus, si opus sit, nostra de non concedendis indulgentiis ad instar, ac suspensionis indulgentiarum occasione anni jubilæi, aliisque constitutionibus, et ordinationibus Apostolicis, cæterisque contrariis quibuscunque. Verum quia difficile foret præsentibus nostras ad omnium quorum interest notitiam pervenire; volumus, ut earum exemplis etiam impressis, manu alicujus notarii publici subscriptis, ac sigillo personæ in dignitate ecclesiastica constitutæ munitis, eadem fides ubique habeatur, quæ eisdem præsentibus haberetur.

103.

Datum Romæ apud Sanctum Petrum sub annulo piscatoris die xviii. Aprilis, M.DC. pontificatus nostri anno nono.

M. VESTRIUS BARBIANUS.

XCVIII.

Pope Clement the Eighth's Instructions to the Archpriest Blackwell.

Dilecto Filio Magistro Georgio Blackwello nostro, et Sedis Apostolicæ Notario, Regni Angliæ Archipresbytero.

Dilecte fili noster, salutem et apostolicam benedictionem. Venerunt nuper ad nos nonnulli sacerdotes Angli, qui de gravaminibus sibi a te illatis vehementer conquesti sunt, ac multo ante ad nos et sedem Apostolicam appellaverant: quibus auditis, et diligenter quæ pro utraque parte faciunt consideratis; nos te ante omnia monendum esse censuimus, ut autoritate a nobis et Apostolica sede tibi concessa, caute et prudenter utaris, neque facultates tuas excedas, ut visus fuisti quibusdam in rebus excessisse. Nam jurisdictionem quidem te habere volumus in omnes Angliæ sacerdotes, juxta formam in literis deputationis tuæ in archipresbyterum a bonæ memoriæ Henrico cardinale Cajetano factæ tibi hactenus præscriptam, et in casibus in iisdem literis contentis tantum; nullam tamen volumus exercere te potestatem in presbyteros qui seminariorum alumni non fuerunt, aut in laicos, neque facultatem tibi competere infligendi censuras, aut statuta condendi, neque contra presbyteros appellantes qui ad Romanam curiam venerunt, procedendi, nisi regni Angliæ protectore nunc, et pro tempore existente, prius consulto, et de omnibus certiore facto, ejusque sententia expectata, neque auferendi vel suspen-

Paper-office.
A.D. 1602.

dendi facultates a sede Apostolica, seu aliis superioribus quovis modo — vestris presbyteris qui ad nos appellaverant concessas, nisi de consilio et mandato ejusdem protectoris, neque eosdem presbyteros de una in aliam residentiam nisi ex causa transferendi: quas quidem facultates iidem presbyteri appellantes sibi antea concessas causa et occasione prætensi schismatis, rebellionis, et inobedientiæ nunquam amiserant, prout nec eos illas amisisse quatenus opus sit, per hasce nostras literas declaramus. Atque ut tu sine ulla cujusquam offensione, ac majore cum animi quiete et omnium pace et concordia officio tuo fungaris, auctoritate Apostolica tenore præsentium tibi in virtute sanctæ obedientiæ mandamus, ut nulla ad officium tuum spectantia expedias, communices, aut tractes cum provinciali societatis Jesu, vel aliis religionis ejusdem societatis in Anglia existentibus, ne scilicet nova discordiæ et contentionis inter eos et presbyteros appellantes occasio præbeatur, ac propterea instructionem tibi a dicto Henrico cardinale Cajetano super hac re traditam pari auctoritate per præsentem penitus tollimus et abrogamus. Insuper tibi præcipimus ne de Ecclesiæ Anglicanæ administratione et regimine, vel de rebus ad dictum regimen et officium tuum pertinentibus, per literas sive interpositam personam, aut aliter quovis modo cum religiosis ejusdem societatis in Romana curia, vel alibi ubicunque commorantibus agas, sed omnia ad nos Romanum pontificem, aut ad protectores pro tempore existentes referas, non quod nos aliquid sinistri aut mali de iis religiosis suspicemur, quos scimus sincero pietatis zelo duci, et quæ Dei sunt vere quærere, sed quod pro pace et quiete inter Catholicos in eo regno tuenda sic convenire judicemus, quod etiam iidem religiosi societatis Jesu verum esse atque expedire censuerant. Licitum tamen sit rectoribus collegiorum seu seminariorum, ejusdem societatis alumni in eorum recessu, dare literas testimoniales et commendatitias tibi, et pro tempore existente archipresbytero directas, juxta formam a protectore præscribendam, ac etiam integrum sit dictis religiosis in Anglia commorantibus, eosdem alumnos in eorum accessu fovere, dirigere, et adjuvare; simul atque vero contigerit aliquos ex modernis assistantibus deficere, similiter tibi mandamus ut tres ex presbyteris appellantibus in eorum locum successive, prout eos deficere contigerit, substituas, quorum opera in officii tui negotiis utaris. Mo-

nemus etiam ut eleemosynas quæ quotannis ex largitione fidelium copiose admodum, ut accipimus, colliguntur, indigentibus personis, ac præsertim iis qui pro fide Catholica in carcere detinentur, large et fideliter distribuas; deque appellationibus ad nos et sedem Apostolicam interpositis in casibus quibus de jure deferendum erit, deferas, quæ quidem appellationes ad protecterum nunc, et pro tempore existentem, devolvantur. Cæterum ut omnis hujus controversiæ memoria penitus aboleatur, eadem auctoritate damnamus, et prohibemus omnes libros ubicunque impressos, in quibus aliquod continetur contra institutionem societatis Jesu, seu contra privatas illius personas, et qui etiam in alterutram partem criminosi seu quovis modo injuriosi sunt, illosque ab omnibus damnari, prohiberi, et interdicti mandamus. Ac insuper omnibus et singulis, sive laicis, sive clericis secularibus, ac cujusvis ordinis et instituti regularibus, et nominatim ipsis presbyteris appellantibus, et religiosis societatis Jesu, aliisque quibuscunque ejusdem regni Angliæ, sive in eodem regno, sive extra illud, existentibus, sub amissionis omnium facultatum a sede Apostolica vel aliis superioribus quovis modo ipsis, ut præfertur, concessarum, necnon excommunicationis ipso facto absque alia declaratione incurrendis pœnis interdicimus, et prohibemus ne libros illos pro alterutra parte in posterum edant nisi prius obtenta protectoris similiter nunc, et pro tempore existentis, approbatione et licentia. Quicunque vero aliquod genus librorum literarumque et tractatum in quibus alicujus veri Catholici fama violari poterit, in posterum, aut aliquando fuerit violata, aut ex quibus excitari possint veteres vel novæ contentiones, vel quæcunque alia scripta contumeliosa, ex quibus odium dissidiumve inter partes quovis modo renovari possit, communicaverint, seu penes se retinuerint, vel evulgaverint, aut aliquid de hac controversia publice vel privatim scripserint, defendendo vel impugnando unam vel alteram partem, aut personas aliquas vel domus, aut qui cum hæreticis in præjudicium Catholicorum quovis prætextu vel causa participaverint aut communicaverint, eos in omnibus et singulis casibus eisdem amissionis facultatum suarum, nec non excommunicationis ipso facto, ut præfertur, incurrendis pœnis volumus subjacere. Et licet nos ex iis quæ ab utraque parte audivimus longe plura ad te scribere poteramus; tamen cum te mentem nostram ex his quæ diximus intelligere posse arbitramur, paucis contenti fuimus,

ac solummodo te, ac omnes tam religiosos quam presbyteros seculares quoscunque, et eos qui ad nos appellarunt hortamur in Domino, ut communi privateque inter vos paci ac concordie studeatis, ac id ipsum invicem sentiatis, non alta sapientes, sed humilibus consentientes. Nam si Evangelicam prædicationem in charitate Christi suscepistis, cur Evangelicam pacem in eadem charitate non sectamini? Charitas omnia suffert, non irritatur, non æmulatur. Charitas docet nos inimicos diligere, quanto magis amicos et socios fidei et laborum! Itaque vos per viscera misericordie Christi obsecramus, ut diligatis invicem, nemini detis ullam offensionem, nulli malum pro malo reddatis, ut non vituperetur ministerium vestrum, ut benefaciatis omnibus, providentes bona non solum coram Deo, sed etiam coram hominibus, et quod ex vobis est cum omnibus pacem habentes, ut fructum quem in laboribus vestris in summis periculis et tribulationibus quæritis, et nos cum Ecclesia universa toto animo expectamus: tandem, adjuvante Domino, qui est vera pax et charitas, cum animi nostri exultatione referatis. Datum Romæ ad Sanctum Marcum sub annulo piscatoris die quinta Octobris, 1602, pontificatus nostri anno undecimo.

XCIX.

The Number of all the Benefices in England, with their several Values.

Extract. e
Regist.
principal.
Sedis Archi-
episcopal.
Cantuaren.
&c.
Paper-office.

The number of all the benefices in England, 8803.

Whereof

Impropriations at the taxations of the first-fruits, with vicarages endowed	3236
Parsonages impropriated since the taxation	41

In all 3277

Living under 10*l*. 4543

Whereof discharged of first-fruits by act of parliament 2978, viz.

Rectories of 20 nobles and under . . . 1083

Vicarages of 10*l*. and under . . . 1895

Living of 10 <i>l</i> . and under } 1445	{ Parsonages . . . 905
20 marks }	{ Vicarages . . . 540

Livings of 20 marks and under 20 <i>l</i>	1604	{ Parsonages . 1134
		{ Vicarages . 490
Livings of 20 <i>l</i> . and under 26 <i>l</i>	593	{ Parsonages . 414
		{ Vicarages . 170
Livings of 26 <i>l</i> . and under 30 <i>l</i>	206	{ Parsonages . 163
		{ Vicarages . 043
Livings of 30 <i>l</i> . and under 40 <i>l</i>	248	{ Parsonages . 188
		{ Vicarages . 060
Livings of 40 <i>l</i> . and upwards	144	{ Parsonages . 115
		{ Vicarages . 029
Total.		Parsonages . 5567
		Vicarages . 3236

C.

A brief Note of such Matters as were agreed on by the King's Majesty, the Lords of his Council, and the Clergy, to be reformed in the Government of the Church, January 18, 1603-4.

His majesty in an excellent oration reduced all the points to Paper-office. certain heads. The first was concerning the Book of Common Prayer, wherein four things were concluded to be amended.

First. The Absolution, which contained nothing amiss in the matter, and only quarrelled for the name, therefore hereafter it shall be called the Absolution or general Remission of Sins.

Secondly. The Confirmation, which being shewed to be no Sacrament with us, but of very good use for preparing of children to the Communion, it was concluded it should remain only with the alteration of the name; that it should be called the Confirmation, or rather the Examination of the said children.

Thirdly. That private Baptism now by laymen, or women, shall be called the private Baptism by the ministry and curacy only. And all the questions in that baptism, which insinuate it to be done by women, taken away.

Fourthly. The Apocrypha that has any repugnancy to the canonical Scripture, shall not be read, and other places chosen, which are either explanations of Scripture, or serve best for godliness and manners.

The Second, was concerning Matters of Jurisdiction, concerning Bishops and high Commissioners.

For bishops, it was concluded that their jurisdiction should be somewhat attenuated, so that they should either have the dean and chapter, or some grave ministry in ordination, suspension, degradation, &c., and not to exercise their authority alone.

For the high commissioners, it was concluded, that the court should be reformed, and to deal only in causes of a high nature, and to have no commissioners sit but men of high honour.

Excommunication by chancellors and commissaries, as is now used, shall be taken away, both in name and in nature ; and a writ out of the Chancery, to punish the contumacious, shall be framed.

The Third Point, for preaching the Word, and maintaining the true Doctrine.

For preaching, that a more learned ministry and maintenance for them be provided in such places in England where there is want.

Then as few double beneficed men and pluralities as may be ; where they have double benefices to maintain preaching, and to have their livings near one another.

And that the kingdom of Ireland, the country of Wales, and the borders of Scotland be planted with schools and preachers : and for better effecting of this, commissioners best experienced in every of those countries are appointed.

105. For doctrine, that there be one uniform translation of the Bible to be made, and that only to be used in all the Churches of England, and that the articles of religion made *primo Eliz.* be explained and enlarged, and that no man do read or preach against any of them.

The Fourth Head to be reformed rather by care of good Magistrates than by straitness of Law.

As, that care be taken to inhibit popish and pestilent books, both at home and for coming over ; and, if they do come over, to deliver them to persons only fit to have them.

Then, a care to be had who do not receive the communion

once a-year ; the ministers to certify the bishops ; the bishops, the archbishops ; the archbishops, the king.

Lastly, for matter of ceremonies and order, being things indifferent, that the rule of the apostle be kept, that all things be done to edification ; that so neither grave, sober, and peaceable persons be not too far urged at first, nor turbulent and unquiet persons and busy spirits to do what they list.

These are the conclusions of this conference, wherein his majesty sat as moderator, to the great admiration of all.

CI.

Pope Paul V.'s Brief to the English Roman Catholics, forbidding them going to the English Service, or taking the Oath of Allegiance.

Dilecti Filii, salutem et Apostolicam benedictionem : magno cum animi mœrore nos semper affecerunt tribulationes et calamitates quas pro retinenda Catholica fide jugiter sustinuistis : sed cum intelligamus omnia hoc tempore magis exasperari, afflictio nostra mirum in modum aucta est : accepimus namque compelli vos gravissimis pœnis propositis templa hæreticorum adire, cœtus eorum frequentare, concionibus illorum interesse ; profecto credimus, proculdubio eos qui tanta fortitudine atque constantia atrocissimas persecutiones, infinitas propemodum miserias perpessi sunt, ut immaculate ambulant in lege Domini, nunquam commissuros esse ut coinquantur communione desertorum divinæ legis. Nihilominus zelo pastoralis officii nostri impulsus, ut pro paterna solitudine, qua de salute animarumstrarum assidue laboramus, cogimur monere vos, atque obtestari, ut nullo pacto ad hæreticorum templa accedatis, aut eorum conciones audiat, vel cum ipsis in ritibus communicetis, ne Dei iram incurrat. Non enim licet vobis hoc facere, sine detrimento divini cultus et vestræ salutis. Quemadmodum etiam non potestis, absque evidentissima gravissimaque divini honoris injuria, obligare vos juramento, quod similiter cum maximo cordis nostri dolore audivimus propositum vobis fuisse præstandum infra scripti tenoris, viz. “Ego A. B. vere et sincere agnosco, profiteor, testificor, et declaro in conscientia mea coram Deo et mundo, quod supremus Dominus noster Jacobus rex,” &c., prout sequitur in ipso juramento.

Quæ cum ita sint, vobis ex verbis ipsis perspicuum esse

Paper-office.
A. D. 1606.

debet, quod hujusmodi juramentum salva fide Catholica, et salute animarumstrarum præstari non potest; cum multa contineat quæ fidei et salutis aperte adversentur. Propterea monemus vos ut ab hoc et similibus juramentis præstandis omnino caveatis. Quod quidem eo acrius exigimus a vobis, quia experti fidei vestræ constantiam, quæ tanquam aurum in fornace perpetuæ tribulationis igne probata est, pro comperto habemus, vos alacri animo subituros esse quæcunque atrociora tormenta, atque mortem denique ipsam constanter appetituros, potius quam Dei majestatem ulla in re lædatis. Et fiducia nostra confirmatur ex his quæ quotidie nobis afferuntur, de egregia virtute atque fortitudine, quæ, non secus ac in Ecclesiæ primordiis, resplendet novissimis hisce temporibus in martyribus vestris. "State ergo succincti lumbos vestros in virtute, et induti lorica justitiæ, sumentes scutum fidei, confortamini in Domino in potentia virtutis ejus," nec quicquam vos detineat: ipse enim qui coronat certamina vestra e cœlo intuetur, "bonum opus quod in vobis cœpit perficiet," nostis quia discipulis suis pollicitus est, "se nunquam eos relicturum esse orphanos, fidelis enim est qui se promisit."

Retinete igitur disciplinam ejus, hoc est "radicati et fundati in charitate;" quicquid agitis, quicquid conamini, in simplicitate cordis, et in comitate Spiritus, sine murmuratione aut hæsitacione unanimes facite. Siquidem in hoc cognoscunt omnes quia discipuli Christi sumus "si dilectionem ad invicem habuerimus." Quæ quidem charitas cum sit omnibus Christi fidelibus maxime appetenda, vobis certe dilectissimi filii prorsus necessaria est: hac enim charitate vestra diaboli potentia infringitur, qui nunc adversus vos tantopere insurgit, cum ipsa contentionibus atque dissidiis nostrorum filiorum præcipue nitatur. Hortamur itaque vos per viscera Domini Jesu Christi, cujus charitate e faucibus æternæ mortis erepti sumus, ut ante omnia mutuam inter vos charitatem habeatis. Præscripsit sane vobis præcepta maxime utilia de fraterna charitate vicissim exercenda felicitis recordationis Clemens Papa Octavus, suis litteris in forma Brevis ad dilectum filium magistrum Georgium archipresbyterum regni Angliæ dat. quinto Octobris 1600. Ea igitur diligenter exequimini, et ne ulla difficultate aut ambiguitate remoremmini. Præcipimus vobis ut illarum litterarum verba ad amussim servetis, et simpliciter prout sonant et jacent accipiat, et intelligatis,

sublata omni facultate illa aliter interpretandi. Interim nos nunquam cessabimus Deum Patrem misericordiarum precari, ut afflictiones et labores vestros clementer respiciat, ac vos continua protectione custodiat atque defendat; quos Apostolica benedictione nostra clementer impartimur. Dat. Romæ apud Sanctum Marcum sub annulo piscatoris 10 Calend. Octobris 1606, pontificatus nostri anno secundo.

CII.

Cardinal Bellarmine's Letter to the Archpriest Blackwell against the Oath of Allegiance.

Admodum Reverendo Domino Georgio Blackwello Archipresbytero Anglorum, Robertus S. R. E. Cardinalis Bellarminus S. D.

Venerabilis in Christo Domino Frater. Anni sunt fere Paper-office. A.D. 1607. quadraginta quod invicem non viderimus, sed ego tum veteris nostræ consuetudinis nunquam oblitus sum, "teque in vinea Domini strenue laborantem," quando aliter non potui, orationibus Deo commendare non destiti, me quoque in tua memoria toto hoc tempore vixisse, et in tuis orationibus ad altare Domini locum aliquem habuisse non dubito.

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Ita igitur ad hoc usque tempus non verbis aut literis, "sed opere et veritate," ut Sanctus Joannes loquitur, alter in alterius dilectione permansimus. Sed hoc silentium rumpere coëgit nuncius, qui diebus istis de tuis vinculis et carcere ad nos venit, qui quidem nuncius etsi tristis videri poterat ob jacturam pastoralis tuæ sollicitudinis quam Ecclesia ista fecit, tamen lætus quoque videbatur quoniam ad martyrii gloriam, quo dono Dei nullum est felicius, propinquabis, ut qui tot annis gregem tuum verbo et doctrina pavisses, nunc exemplo patientiæ gloriosus pasceres. Verum hanc lætitiā non mediocriter inturbavit ac fere corrumpit tristis alius nuncius, qui de constantia tua in recusando illicito juramento ab adversariis tentata, forte etiam labefacta et prostrata, successit. Neque enim, frater charissime, juramentum illud ideo licitum esse potuit quod aliquo modo temperatum et modificatum offerebatur. Scis enim ejusmodi modificationes nihil esse aliud quam Satanæ dolos atque versutias, ut fides Catholica de primatu sedis Apostolicæ vel aperte vel obscure petatur, pro qua fide tot inelyti martyres in

ista ipsa Anglia ad sanguinem usque pugnarunt. Certe enim quibuscunque verbis iuramentum ab adversariis Fidei concipitur in regno isto eo tendit, ut autoritas capitis Ecclesiae a successore Sancti Petri ad successorem Henrici Octavi in Anglia transferatur. Quod enim obtenditur de periculo vitae regis, si summus pontifex eam in Anglia potestatem habeat, quam in aliis omnibus Christianis regnis habet, inane prorsus esse, omnes qui sunt aliqua prudentia praediti facile vident, neque enim auditum est unquam ab initio nascentis Ecclesiae usque ad haec nostra tempora, ut ullus pontifex maximus principem ullum quamvis haereticum, quamvis ethnicum, quamvis persecutorem caedi mandaverit, aut caedem forte ab aliquo patratam probaverit. Et cur quæso unus rex Angliae timet quod ex tot Christianis principibus nullus timet! Sed ut dixi varii isti praetextus decipula sunt et stratagemata Satanæ, qualia non pauca in historiis veterum temporum inveniuntur, quæ facile referre possim, si non epistolam, sed librum integrum scribendum suscepissem; unum tantum exempli gratia ad memoriam tibi revocabo. Scribit sanctus Gregorius Nazianzenus in prima oratione in Julianum, imperatorem illum ut simplicibus Christianis imponeret, in imaginibus imperatoris quas Romani civili quodam genere honoris pro more adorabant, imagines deorum falsorum admiscuisse, ut nemo posset imperatoris imaginem adorare quin simul deorum simulachris cultum adhiberet. Hinc nimirum fiebat, ut plurimi deciperentur, et si qui forte fraudem sub imperatoris adorati imaginem venerari recusarent, ii gravissime punirentur, ut qui Cæsarem in sua imagine contempsissent. Tale aliquid in iuramento vobis oblato mihi videre videor, quod ea fraude compositum est, ut nemo possit prodicionem in regem detestari, civilemque subjectionem profiteri, quin primatum sedis Catholicae perfide abnegare cogatur. Sed Christi servi ac praesertim primarii Domini sacerdotes, ubi periculum Fidei subesse possit, tantum abesse debent a susceptione illiciti iuramenti; ut ab omni etiam suspicione simulationis praestiti iuramenti cavere debeant, ne fidelibus populis ullum praevericationis exemplum reliquisse videantur. Quod egregie praestitit insignis ille Eleazarus, qui neque porcinas carnes comedere, neque simulare comedisse voluit, quamvis gravissima tormenta sibi cerneret imminere, ne aut ipse (ut in secundo libro Maccabæorum) aut multi juvenum per eam simulationem ad legis praevericationem ani-

marentur. Neque minus fortiter magnus Basilius et exemplo ad res nostras magis accommodato, cum Valente imperatore se gessit. Nam ut in Historia scribit Theodoretus, cum præfectus imperatoris hæretici hortaretur sanctum Basilium ut non vellet propter parvam dogmatum subtilitatem imperatori resistere; respondit vir ille sanctissimus et prudentissimus, non esse ferendum ut de dogmatibus divinis vel una syllaba corrumpatur, sed potius pro eorum defensione omne genus supplicii amplectendum. Equidem arbitror non deesse apud vos qui dogmatum subtilitatem esse dicant, quæ in juramento Catholicis hominibus proposito, continentur, et non esse propter rem tam parvam regis imperio reluctandum: sed non deerunt etiam viri sancti ac magno Basilio similes, qui palam affirmabunt, non esse de divinis dogmatibus vel minimam aliquam syllabam corrumpendam, etiamsi tormenta et mors ipsa toleranda proponatur. Inter hos unum, vel potius horum principem atque antesignanum te esse par est. Et quamvis vel inopinata comprehensio, vel acerbitas persecutionis, vel senectutis imbecillitas, vel quid aliud in causa fuerit, ut constantia titubaverit, confidimus tamen de Domini pietate, et de diuturna tua virtute fore, ut qui Sancti Petri, et Sancti Marcellini casum aliqua ex parte imitatus videris, eorundem fortitudinem in viribus reparandis, et veritate asserenda, feliciter imiteris. Nam si rem totam diligenter apud te cogitare volueris, videbis profecto non esse rem parvam quæ ob juramentum istud in discrimen adducitur, sed unum ex præcipuis fidei nostræ capitibus, ac religionis Catholicæ fundamentis. Audi enim quid Apostolus vester magnus Gregorius scribit, Apostolicæ sedis reverentia nullius præsumptione turbetur. Tunc enim membrorum status integer perseverat, si caput Fidei nulla pulsatur injuria. Itaque, Sancto Gregorio teste, cum de primatu sedis Apostolicæ, vel turbando, vel minuendo, vel tollendo, satagitur, de ipso capite Fidei amputando, ac de totius corporis omniumque membrorum statu dissipando satagitur. Quod ipsum Sanctus Leo confirmat in sermone tertio de assumptione sua ad pontificatum, cum ait, specialis cura a Domino suscipitur, et pro fide Petri proprie supplicatur, tanquam aliorum status certior sit futurus, si mens principis victa non fuerit. Ex quo idem ipse in epistola ad episcopos Viennensis provinciæ affirmare non dubitat, necesse esse exortem illum mysterii esse divini, qui ausus fuerit a Petri soliditate recedere. Qui rursum ait, quisquis huic sedi princi-

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patum existimat denegandum, illius quidem nullo modo potest minuere dignitatem, sed inflatus spiritu superbiæ suæ semetipsum in inferno demergit. At hæc quidem et alia ejusdem generis multa tibi notissima esse certe scio, qui præter cæteros libros Visibilem Monarchiam Sanderi tui Scriptoris diligentissimi, et de Ecclesia Anglicana optime meriti, sæpe legisti, quique ignorare non potes, sanctissimos viros, eosque doctissimos, Johannem Roffensem, et Thomam Morum, pro hoc uno gravissimo dogmate, duces ad martyrium plurimis aliis cum ingenti Anglicæ nationis gloria, nostra memoria, fuisse. Sed ad memoriam revocare tibi volui, ut colligas te, et magnitudinem rei considerans, non tuo judicio nimis fidas, neque plus sapias quam oportet sapere. Et si forte lapsus tuus non ex inconsideratione, sed ex infirmitate humana, ex metu carceris et suppliciorum profectus est, non anteponas libertatem temporalem, libertati "gloriæ filiorum Dei:" neque ob momentaneam et levem tribulationem fugiendam, amittere velis "æternum gloriæ pondus," quod ipsa tribulatio operatur in te: bonum certamen diu certasti, "cursum" ferme "consummasti, fidem" tot annis "servasti." Noli igitur tantorum laborum præmium tam facile perdere; noli corona justitiæ, quæ tibi jamdudum paratur, teipsum privare. Noli tot patrum et filiorum tuorum vultus confundere: in te sunt hoc tempore coniecti oculi totius Ecclesiæ. Quinetiam "spectaculum factus es mundo, angelis, et hominibus:" noli in extremo actu ita te gerere, ut et tuis luctum, et gaudium hostibus relinquo. Sed contra potius, quod omnino speramus, et pro quo ad Deum nostrum assidue preces fundimus, vexillum Fidei gloriose, erigas, et quam contristaveras, lætam facias Ecclesiam, nec jam solum veniam merearis a Domino, sed coronam; vale, viriliter age, et "confortetur cor tuum."

Reverende admodum Domine, vester frater et servus
in Christo,

ROBERTUS CARDINALIS BELLARMINUS.

Romæ, 28 Sept. 1607.

CIII.

Negotium Consecrationis et Dedicationis Parochialis Sancti Olavi in Silver-street, Civitat. London. A.D. 1610.

In Dei nomine, Amen. Nos Georgius London' episcopus hanc ecclesiam de novo jam erectam, constructam, et edificatam divino cultui et divinorum celebrationi, ac tam ad sacramenta et sacramentalia in eadem ministrand. quam ad divinas preces Deo fundend. et Verbum Dei pure et sincere proponendum et prædicandum ac demortuos inhumandum et sepeliendum, ac cætera omnia sacra et divina perficiendum, quæ de jure divino ac etiam legibus, sanctionibus et constitutionibus Ecclesiæ nostræ Anglicanæ in ea parte sunt requisita et necessaria, ac si sigillatim essent in præsentibus specificata modo et forma in similibus jam de jure usitatis et usitandis, in Dei honorem, et pro salute animarum et usu parochianorum ejusdem (quantum in nobis est et de jure, legibus, et statutis hujus inclyti regni Angliæ possumus, et nobis licet) consecramus et dedicamus, per nomen Sancti Olavi in Silver-street, et sic consecratam, dedicatam, et assignatam esse et in futuris perpetuis temporibus remanere debere, palam et publice pronunciamus et declaramus, et per nomen prædictum (prout antea appellabatur) perpetuis futuris temporibus nominand. et appelland. fore decernimus, et sic nominamus.

Abbot.
Regist.
fol. 393.
A.D. 1610.

G. LONDON.

CIV.

Archbishop Abbot's Letter to the Bishop of Peterborough, touching the restraining Mr. Dodd, and other Nonconformists, from preaching.

My very good lord, I have received advertisement more ways than one, that some of the ministers of your lordship's diocese (formerly deprived) as by name Mr. Barbon, and Mr. Shafferld, do, at their pleasure, preach in Northamptonshire or Rutlandshire, and that Mr. Dodd, lately of Hanwell, near Banbury, doth sometimes also exercise within your lordship's diocese. What the king's majesty's judgment is concerning such unconformable ministers, your lordship may perceive by

Paper-office,
Nov. 24.
A.D. 1611.

those instructions which not long since, in the name of his highness, I sent unto you. But let me add this withal, that his majesty being lately informed of the preaching of Mr. Hildersham, sometime minister of Ashby, in Leicestershire, was much offended with the bishop of Lincoln for permitting the same; and commanded me by letter to signify so much unto his lordship. I hear that Mr. Cataline is much more peaceable than in former times, but yet keepeth no order for the "Communion Book," but suffers all excommunicated persons, in the parishes adjoining, to repair unto his Church; I pray your lordship to have an eye to these things, lest more offence grow than your lordship conceives. So wishing, &c. I rest

Your lordship's very loving friend,

G. CANT.

CV.

The Opinion of a Learned Civilian, whether Bishops may be translated at the Prince's pleasure.

Paper-office.
Sept. 1616.

Most gracious and my honourable good lord, being commanded by your grace to consider of a point in law for his majesty's service, I have made bold to present my opinion thereof unto your grace in writing, submitting the same to your grace's acceptance.

Your grace hath been not untruly informed, by some, no doubt learned in the laws and histories of the Church, that the pope did heretofore translate bishops from one bishopric to another, at his own pleasure, and contrary to the good will of the parties themselves; of which, though I find not any precedents in history, yet I find many testimonies to that purpose in the writings of the canonists and expositors of the canon law, sundry of which have also delivered for good doctrine, that the pope might do it lawfully: which notwithstanding it may well be doubted, whether his majesty hath in himself any ordinary power at this present to translate a bishop from one bishopric to another, contrary to the parties will, as the law understandeth, and that for these reasons following:

1st. For that the foresaid opinion of the canonists is not grounded upon any positive law, or canon of the Church, but is only a conclusion drawn by them from that universality

of power and jurisdiction, which they imagine and maintain to be in the pope of Rome.

According to which opinion it is, that one saith, that "*omnia beneficia mundi sunt obedientialia respectu papalis potestatis, et ideo potest pro libitu voluntatis transferre episcopum de suo episcopatu ad alium,*" *i. e.* that all benefices in the world are in subjection to the pope, and therefore that he may remove and change, and dispose of them at his pleasure. And to this effect may sundry of their sayings be recited, which I will not trouble your grace withal. But seeing this dependeth not upon the regular, but upon that unlimited power which former times attributed to the pope, and which the late statutes of this land have utterly disclaimed; it may be questioned, how any sufficient argument may hence be drawn, to justify his majesty's legal authority in the like case.

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2dly. For that also some canonists have maintained the authority aforesaid to be in the pope, so others have absolutely denied it; and therefore they say, that in this case a bishop may consent to his translation if he will, and if he will not, he may choose.

3dly. For that this transcendant power of the pope hath been limited and restrained, by sundry councils in former times: for, first, Panormitan, a great canonist, and an earnest maintainer of the pope's authority in this point, confesseth that this was done at a council held at Pisa, in Italy, adding, that it was done "*propter imprudentiam quorundam summorum pontificum:*" for the folly of some popes, who would often make such translations out of spleen rather than upon just occasion. Others likewise affirm, that there was the like canon made at Constance in Germany, and that they have seen it, though it be not now to be found in the printed copies.

4thly. If it should be granted there were a positive law, or canon, to be produced for this purpose, yet the same was never received nor practised in England, neither, as I suppose, could have been; the reason is, for that in this kingdom every bishop hath a double capacity, one as he is a bishop, in regard of his spiritualties; and another, as he is a lord of parliament, in regard of his temporalties. And both those are reckoned to him as a kind of freehold, which the custom of this land would never suffer the papal authority to deal withal, otherwise than according to the laws.

And lastly, it may please your grace, in your great wisdom, to look into the consequence of this question, if it should be moved especially at this present; for if this should be essayed in one, that same would forthwith be apprehended and feared in all: for not only the bishops and archbishops, but also and much more every particular dignitary and parson of a parish church may be removed from his benefice at discretion, which would happily fill the whole Church with complaints and outcries, and give turbulent spirits occasion to say, that by this one act our clergy is made more miserable than any other.

Nevertheless, as much as this is a mixed question, and dependeth as much, or rather more, upon the common law, than it does upon the canon, your grace may be pleased to refer the consideration thereof to his majesty's council at the common law, upon whom I shall be ready to give my attendance, and to have their advice therein also, that from both the laws your grace may receive a more perfect resolution in this point for the service of his majesty.

Your grace's

Most humble devoted servant,

F. RIVES.

OXVI.

Dr. Joseph Hall's Speech at his taking leave of the Synod at Dort.

A. D. 1619.
Fuller's
Ch. Hist.
book 10.

Non facile vero mecum in gratiam redierit cadaverosa hæc moles, quam ægre usque circumgesto, quæ mihi hujus conventus celebritatem toties inviderit, jamque prorsus invitissimum a vobis importune avocat, et divellit. Neque enim ullus est profecto sub cælo locus æque cæli æmulus, et in quo tentorium mihi figi maluerim, cujusque adeo gestiet mihi animus meminisse. Beatos vero vos, quibus hoc frui datum! Non dignus eram ego (ut fidelissimi Romani querimoniam imitari liceat) qui et Christi et Ecclesiæ suæ nomine sanctam hanc provinciam diutius sustinerem. Illud vero Θεοῦ ἐν γούνασι. Nempe audito, quod res erat, non alia me quam adversissima hic usum valetudine, serenissimus rex meus misertus miselli famuli sui, revocat me domum, quippe quod cineres meos, aut

sandapilam vobis nihil quicquam prodesse posse norit, succenturiavitque mihi virum e suis selectissimum, quantum theologum! De me profecto (mero jam silicernio) quicquid fiat, viderit ille Deus meus, cujus ego totus sum. Vobis quidem ita feliciter prospectum est, ut sit cur infirmitati meæ haud parum gratulemini, quum hujusmodi instructissimo succedaneo cœtum hunc vestrum beaverit. Neque tamen committam (si Deus mihi vitam et vires indulserit) ut et corpore simul et animo abesse videar. Interea sane huic synodo, ubicunque terrarum sum, et vobis, consiliis, conatibusque meis quibuscunque, res vestras me, pro virili sedulo, ac serio promoturum, sancte voveo. Interim vobis omnibus ac singulis honoratissimi domini delegati, reverendissime præses, gravissimi assessores, scribæ doctissimi, symmystæ colendissimi, tibi que venerandissima synodus universa, ægre animo ac corpore æternum valedico. Rogo vos omnes obnixius, ut precibus vestris imbecillem reducem facere, comitari, prosequi velitis.

CVII.

The States-General's Letter to King James, given to the English Divines at the breaking up of the Synod of Dort.

SERENISSIME REX,

Quemadmodum hoc unice propositum nobis fuit, ut quæ in civitatibus provinciisque nostris, ante annos aliquot, exortæ erant, infelices de religione contentiones, eruditorum ac piorum hominum judicio, legitime tolli ac componi possent; ut et conscientiis eorum, quibus nos præesse Deus immortalis voluit, ipsique pariter reipublicæ, sua in religione, ac pietate simul, ratio constaret, et tranquillitas; ita nos benigne is respexit, cui hactenus curæ fuimus, qui conventui nostro nationali, quem ex omnibus idem sentientibus ecclesiis convocavimus, ita benedixit, ut re tanta ad felicem atque optatum exitum perducta, domum, et ad suos se conferant. Quibus, benedictionem Domini, studium nostrum in promovendo pietatis negotio, consensum plane cum aliis ecclesiis unanimem, indicabunt. Inter quos, cum præcipui et consilio et loco fuerint Magnæ Britanniae theologi, quos, pro singulari et divino in nos et ecclesias nostras affectu, ad nos mittere dignata est majestas tua; curæ nobis fuit, ut quantopere hujus beneficii magnitudinem æstimemus, ex nobis intelligeret ma-

A.D. 1619.
Fuller's
Ch. Hist.
book 10.

109.

jestas tua. Est vero illud, rex serenissime, etiamsi cum reliquis quæ infinita sunt conferatur, tanto majus, quanto uberioribus sunt fructus, quos ex Dei causa expectamus, quantoque id majestatis tuæ nomini est convenientius, qui, cum nulla re externa, atque humana, quæ potissimum aliis principibus conciliant dignitatem, quoquam rege sit inferior, *fidei defensionem*, tanquam Dei, ecclesiæque patronus in his terris, sibi merito assumit. Neque dubitare possumus, quin et majestatis tuæ regna tot et tanta; reliquæque quæ in hoc negotio nobis operam navarunt, ecclesiæ, magnam utilitatem ex hoc instituto nostro perceptura sint, quæ exemplo nostro discent, quanto periculo conjunctum sit, quæ bene in religione constituta sunt temere movere, quum sint felices, atque fortunatæ, quamdiu simili remedio opus non habebunt: cui hactenus abunde, majestatis tuæ cura, atque vigilantia, prospectum fuit. In theologis porro utriusque regni vestri omnibus, et singulis, quorum agmen ducit vere reverendissimus dominus Georgius Landavensis episcopus, imago, atque expressa virtutis effigies; eam eruditionem, pietatem, pacis studium, eumque zelum deprehendimus, ut cum ipsius beneficii causa majestati tuæ multum debeamus, magna pars ipsius beneficii nobis videatur, quod ipsi ad nos missi sunt.

Deus immortalis majestati tuæ, rex serenissime, ita benedicat, ut illius benedictionis partem, orbis Christianus, ex diuturnitate regni tui, et Ecclesiæ defensione, diu percipiat.

CVIII.

Dispensatio cum Georgio Archiepiscopo Cantuariensi, super Irregularitate.

Reliq. Spelman.
A.D. 1621.

Beverendissimo in Christo patri Georgio providentia divina Cantuariensi archiepiscopo, totius Angliæ primati et metropolitano, Johannes Lincoln. Georgius London. Lancelotus Winton. Samuel Norwicens. Thomas Coven. et Lich. Arthurus Bathon. et Wellen. Nicolaus Eliens. et Georgius Cicestrensis permissione divina respective episcopi de provincia Cantuar. salutem et gratiam in Domino sempiternam. Recepimus literas commissionales a serenissimo in Christo principe ac domino nostro domino Jacobo Dei gratia Angliæ, Scotiæ, Franciæ, et Hiberniæ Rege, Fidei Defensore, &c. sub magno

sigillo Angliæ confectas et nobis directas, quarum tenor sequitur in hæc verba.

Jacobus Dei gratia Angliæ, Scotiæ, Franciæ, et Hiberniæ rex, Fidei Defensor, &c. reverendo in Christo patri et per dilecto et perquam fideli consiliario nostro Johanni episcopo Lincoln. custodi magni sigilli nostri Angliæ, ac reverendo in Christo patri Georgio episcopo London. ac reverendo in Christo patri ac per dilecto et perquam fideli consiliario nostro Lance-loto episcopo Winton. necnon reverendis in Christo patribus Samueli Norwicen. Thomæ Coven. et Lichen. Nicholao Elien. Arthuro Bathon. et Wellen. et Georgio Cicestren. respective episcopis, salutem et grâtiâ.

Humili nobis supplicatione exposuit reverendissimus in Christo pater, per dilectus et perfidelis consiliarius noster Georgius Cantuar. archiepiscopus, quod cum nuper in parco quodam vocato Bramzil park apud Bramzil in comitatu nostro Southampton. per honorandum virum ejusdem parci dominum rogatus et invitatus damam sagitta figere destinaret, debita adhibita diligentia ne quid inde periculi cuiquam eveniret, forte tamen accidit ut sagitta ab eo emissa et in feram directa, in quendam Petrum Hawkins ad tunc parci prædicti custodem, improvide et temere se periculo ictus sagittæ exponentem, et per locum ubi a præfato archiepiscopo conspici non potuit cum impetu transcurrentem incideret, eique brachium sauciaret: ex quo quidem vulnere infra unius horæ spatium expirabat: et quamvis propter hujusmodi homicidium casuale, nulla præfati archiepiscopi culpa, sed ipsius occisi temeritate contingens, idem reverendissimus pater bona fretus conscientia, se nullam omnino irregularitatem incurrisse, persuasissimum habeat, provida tamen animi circumspectione, et ut omnis infirmorum mentibus scrupulus eximatur, secum a nobis super omni et omnimoda irregularitate, et irregularitatis nota, aut suspicione, si quam præmissorum ratione contraxisse forsitan aliquibus videri possit, ad cautelam et ex superabundanti dispensari humiliter supplicavit. Sciatis igitur quod nos petitionis hujusmodi vim et efficaciam regio animo et pio affectu ponderantes, et de veritate præmissorum sollicita indignatione certiores facti, et ut piam reverendissimi patris intentionem hac in re sequamur, et ad abundantiorum cautelam, perfidelis consilarii nostri optimeque de Ecclesia et republica meriti præsulis, statum famam et dignitatem, nostri etiam patrocinii munimine tueri et

firmare dignoscamur, ad præsentem venimus dispositionem : vobisque vel aliquibus sex vestrum, quorum vos præfat' Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus ; de quorum etiam fide, iudicio, et industria plurimum confidimus, mandamus et de gratia nostra speciali, et ex auctoritate nostra regia suprema et ecclesiastica qua fungimur, pro nobis, hæredibus, et successoribus nostris damus et plenam concedimus facultatem et potestatem per præsentem, quatenus vos vel aliqui sex vestrum ; quorum vos præfatos, Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus. Cum præfato reverendissimo patre super omni et omnimod. juris vel facti defectu, censura sive poena aliqua canonica et ecclesiastica, præsertim vero irregularitate omni seu irregularitatis nota, (si quæ forsitan ratione præmissorum contracta fuit) vel quibusdam contracta esse videantur, utque in susceptis ordinibus et jurisdictionibus secundum conceditam sibi ratione ordinis, et archiepiscopatus sui potestatem libere ministrare, frui, exercere, et gaudere valeat, ad maiorem cautelam dispensetis, ac cætera omnia, et singula quæ ad statum, commodum, et honorem præfati reverendissimi patris conservandum et corroborandum in hac parte necessaria fuerint, seu quomodolibet opportuna faciatis, et dispensationem hujusmodi, cæteraque sic ut præfertur per vos aut aliquos sex vestrum, quorum vos præfatos, Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, facienda in debita juris forma concepta, et inscripta, reducta, sigillisque vestris seu sigillo aliquo authentico munita, præfato archiepiscopo tradere non differatis. Quam quidem dispensationem, cæteraque sic ut præfertur per vos aut aliquos sex vestrum, quorum vos præfatos, Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, peragendam sub magno insuper sigillo nostro Angliæ confirmari volumus, et super his præfati magni sigilli nostri custodi aliisque cancellariæ nostræ ministris quibuscunque expresse mandamus, et plenam tenore præsentium concedimus potestatem. Teste meipso apud Westmon. vicesimo secundo die Novembris, anno regni nostri Angliæ, Franciæ, et Hiberniæ, decimo nono et Scotiæ LV. secundum tenorem et exigentiam literarum com-

missionalium prærecitatarum, et ad eximendum omnem scrupulum ab infirmorum mentibus, si quis forsitan sit aut fuerit in ea parte conceptus.

Nos prædicti, Johannes Lincoln. Georgius London. Lance-lotus Winton. Samuel Norwicen. Thomas Coven. et Lichfeld. Arthurus Bathon. et Wellen. Richardus Elien. et Georgius Cicestren. respective episcopi, Dei nomine primitus invocato ac Deum præ oculis solum habentes, et considerantes, atque pro certo habentes quod dicta venatio cui per te data erat opera, quando dictum casuale homicidium (te nihil tale suspicante) accidebat, erat modesta, decens, et quieta, et quod debita per se adhibita erat diligentia in dicta venatione ad præcavendum ne quid periculi alicui inde eveniret, tecum præfato Georgio archiepiscopo Cantuariensi super omni irregularitate, et irregularitatis nota, si quam forsitan ratione casualis homicidii sive mortis præfati Petri Hawkins incurristi, vel aliquibus incurrisse videaris, ad omnem et qualemcunque juris effectum dispensamus; teque præfatum Georgium archiepiscopum Cantuariensem ac personam tuam ab omnibus et singulis inhabilitatibus, suspensionibus, irregularitatibus, aliisque penis, impedimentis, censuris, et coercionibus quibuscunque ecclesiasticis sive canonicis (si quam forsitan ratione præmissorum aut eorum alicujus incurristi aut aliquibus incurrisse videaris) ad omnem et qualemcunque juris effectum liberamus, ac tenore præsentium pro liberato haberi decernimus, et pronunciamus. quemque defectum, labem, notam, sive maculam, (si quam forsitan ratione præmissorum aut eorum alicujus contraxisti, aut aliquibus contraxisse videaris,) penitus abolemus, ac pro abolitis haberi decernimus, et pronunciamus: teque etiam præfatum Georgium archiepiscopum Cantuarien. ex superabundanti et ad majorem cautelam, rehabilitamus et restituimus ad omnem et qualemcunque juris effectum: et ut in susceptis ordinibus, et archiepiscopatu prædicto, ac in omnibus et singulis jurisdictionibus, privilegiis, præeminentiis, prærogativis, dignitatibus atque aliis rebus quibuscunque, aliquo modo ad dictum archiepiscopatum spectantibus, et pertinentibus, libere ministrare valeas, concedimus et indulgemus, perinde ac si prædictum casuale homicidium commissum non fuisset; canonicis, legibus, decretis, ordinationibus, et constitutionibus ecclesiasticis quibuscunque contrariis (si quæ sint in ea parte contraria) in aliquo non obstantibus. In cujus rei testimo-

nium, sigilla nostra episcopalia hisce præsentibus apponi fecimus. Dat. duodecimo die Decembris, anno Domini millesimo sexcentesimo vicesimo primo.

Teste rege apud Westmon. 24 die Decembris,
anno regni regis Jacobi, &c. xix. et Scotiæ
quinquagesimo quinto.

CIX.

Pope Urban VIII.'s Letter to the English Roman Catholics.

Paper-office.
A.D. 1626.

Dilecti Filii, salutem et Apostolicam benedictionem. Non semper terrena felicitas est beneficium cœli, et patrimonium pietatis: pacem enim peccatorum videns Ecclesia non raro experta est potentiam mortalium, esse stipendium sceleris; quare catenas martyrum anteferimus coronis triumphantium; et Deus sempiternus principatus cœlestes pollicetur, non iis qui superbo pede jura proterunt sed qui persecutionem patiuntur propter justitiam. Veritatem hanc e thesauris divinitatis delatam in terris contemplans Apostolus, non modo animum non despondebat, sed superabundabat gaudio in omni tribulatione fidelium: qui enim digni habentur pro nomine Jesu contumeliam pati, ii tesseram divini amoris videntur possidere, et eo pretio abundant quo sunt venalia diademata æternitatis. Mallemus equidem humanæ imbecillitatis memores, gloriam et divitias esse in tabernaculis justorum, etenim cum vestras miserias contemplamur, dilecti filii, tantum vestræ virtuti et Christo propugnanti fidimus, ut vobis audeamus gratulari segetem triumphorum: speravit equidem Ecclesia fore ut potentissimi regis animus, qui e Catholica conjuge procreare optavit hæredes, patriis, regnis imperaturos delinitus suspiriis uxoriæ pietatis pateretur regalis connubii dotem esse, libertatem fidei; nunc autem formidantur acta et concilia inimicorum vestrorum. Et cum religio orthodoxa regali diademate in optima regina coronetur; isti tamen non desunt qui filiis nostris audeant carcerem et supplicia minitari! Credimus esse inter vos qui mortificationem Jesu Christi proprio corpore circumferre cupiunt, et blanditias voluptatis, atque ambitionis titulos, post habeant lanienæ carnificum, ac vinculorum contumeliis. Siqui tamen istinc sunt quos præsentis etiam prosperitatis desiderium teneat, eos certiores fieri cupimus de illorum salute

mirifice sollicitam esse pontificiam charitatem. Nullum a nobis relinquitur officium quod minacem ingruentis tempestatis caliginem possit in optatam consolationis auram convertere : tamen si dilatet infernus os suum et martyrum sanguinem sitiatur impacata crudelitas, armari debetis scuto inexpugnabili bonæ voluntatis, et cælum in carcere, coronam in equuleo, immortalitatem in morte, cogitare. Inter Britannicos naufragantis religionis scopulos crux Christi fuit tabula quæ vos perduxit in portum bonæ voluntatis vestræ. Hanc opus est amplexari in præsentia, cujus virtute dulcescet amarities pœnarum. Cogitate dilecti filii in qua statione commoremmini, et quorum oculis facti sitis spectaculum. Vos angelicæ legiones circumvolitant quæ phialis aureis desideria fidelium excipiunt, et ad sanctuarium ferunt misericordia Omnipotentis. Patefactis cœli foribus spectat idem et munerator Christus, vobis sacros civium vestrorum triumphos ostendit, quos Anglia proprio sanguine intulit cœlitum conciliis. Anxiæ preces suspirantis Ecclesiæ vobis a Deo petunt spiritum charitatis et fortitudinis : vestram salutem juvant concilia senatus Apostolici, et vota Christianitatis. In tanto cœli terrarumque theatro, quem vobis conscientia victricis vigorem, quam animi triumphantis sublimitatem inesse decet ? Fuerunt in consimili discrimine concilia majorum vestrorum : lumina Spiritus Sancti et arma lucis : sint verba vestra oracula sapientiæ, sint vestræ actiones exempla fortitudinis : quod si eousque vis progredietur ut vos ad noxium illud et illicitum Anglicanæ fidelitatis juramentum adigat, mementote nationem vestram ab universo angelorum spectantium consessu audiri ; et adhæreat lingua vestra faucibus vestris priusquam auctoritatem beati Petri, ea juris jurandi formula imminutum eat. Non enim ibi id solum agitur uti fides regi servetur, sed ut sacrum universæ Ecclesiæ sceptrum eripiat vicariis Dei Omnipotentis. Quod fœlicis recordationis Paulus quintus prædecessor noster in tam gravi deliberatione decrevit, id omnino tanquam edictum veritatis servare debetis, dilecti filii : tributum hoc principi Apostolorum debitum, nullæ hominum miræ aut blanditiæ unquam a vobis extorqueant : qui secus suadent, ii visionem mendacem et divinationem fraudulentam prophetant vobis. Citius enim vero Christiano debet potentiarum gladius vitam eripere quam fidem. Quod si angelus etiam de cœlo descendens vos aliter quam veritas Apostolica doceat, anathema sit. Nos interea Patrem

Luminum orabimus, ne excæcari patiatur cor Anglicani regis, qui certe discere debebit quanta in iis quæ polliceri potestis fides habenda sit Catholicis subditis, qui ne se perjurii alligent, malunt spiritum emittere, quam vocem. Ut autem virtus vestra inveniat præciosior auro quod igne probatur, docete regnum istud tantam non inesse vim hostium sævitæ, ut in cordibus vestris possit æternum charitatis ignem extinguere. Orate pro persequentibus vos : humilitas, concordia, jejunium, oratio, arma sunt quæ in tam sæva dimicatione debetis distringere, ut palmæ cœlestium triumphorum florescant in manibus vestris. Cum enim ipsius Christi carnifices vetitus sit beatus Petrus gladio vulnerare, hortamur vos præsens Ecclesiæ bonum præ oculis habentes ut cogitetis interea cogitationes pacis, et regi etiam, dum mortalem vitam adimit, æternam vitam exoptetis. Ita belligerari fas est milites Christi sub vexillo crucis, confundantur ora loquentium iniqua, cum odisse etiam nesciatis qui vos excruciant. Cæterum Dominus qui potest tristitiam vestram in gaudium convertere erit a dextris vestris ne commoveamini, et illius testamenti nunquam obliviscetur quo hæreditatem regni cœlestis imitatoribus suis legavit. Complectimur nostris Apostolicæ charitatis brachiis, dilecti filii, quibus paternum patrociniū pollicemur, et benedictionem nostram permanentem impartimur.

Datum Romæ apud Sanctum Petrum sub annulo piscatoris 30 die Maii, 1626, pontificatus nostri tertio.

JOHANNES CAMPHOLUS.

A tergo,
Dilectis Filiis Catholicis Anglicanis.

CX.

King Charles I.'s Letter to Archbishop Laud, for encouraging the Greek Press.

Regist.
Laud, pt. 1.
fol. 134.
A.D. 1633.

Most reverend Father in God, right trusty and right entirely beloved counsellor, we greet you well. Whereas our servant Patrick Young, keeper of our library, hath lately, with great industry and care, published in print an Epistle of Clemens Romanus in Greek and Latin, which was never printed before, and has done this to the benefit of the Church and our great honour ; the manuscript by which he printed it

being in our library. And whereas we further understand, that the right reverend father in God, Augustin Lyndfell, now bishop of Peterborough, and our said servant Patrick Young, are resolved to make ready for the press one or more Greek copies every year, by such manuscripts as are either in our library, or in the libraries of our universities of Oxford and Cambridge, or elsewhere, if there were Greek letters, matrices, and money ready for the work, which pains of theirs will tend to the great honour of our self, this Church, and nation: we have thought good to give them all possible encouragement herein. And do therefore first require you, that the fine, lately imposed by our high commissioners upon Robert Barker and Martin Lucas, for base and corrupt printing of the Bible, being the sum of three hundred pounds, be converted to the present buying of such and so many Greek letters and matrices, as shall be by you thought fit for this great and honourable work. And our farther will and pleasure is, that the said Robert Barker and Martin Lucas, our patentees for printing, which either now are, or shall hereafter succeed them, being great gainers by that patent, which they hold under us, shall at their own proper costs and charges of ink, paper, and workmanship, print, or cause to be printed, in Greek, or Greek and Latin, one such volume in a year, be it bigger or less, as the right reverend father aforesaid, or our servant Patrick Young, or any other of our learned subjects shall provide and make ready for the press.

Given under our signet at our palace of Westminster, the 13th day of January, in the ninth year of our reign.

CXI.

Canons and Constitutions of the Church of New England, received 1634.

Canones regiminis ecclesiastici constituti, et in reformatis Paper-office. A. D. 1634.
Ecclesiis Nov-Anglicanis observati, breviter, in ordinem digesti.

1 Quatuor potissimum ministerii ordines, {
Ministri.
Doctores.
Seniores.
Diaconi.

De Ministris.

Ad verbi ministerium nemo admittatur sine legitima vocatione, electione, iustoque examine doctrinæ vitæque anteaetæ.

Ad electionem ministri requiruntur sequentia :

1. Celebretur jejunium.
2. Nominetur a presbyterio et classe.
3. Examinetur ab utrisque.
4. Sistatur coram magistratu et tota Ecclesia, ut intra dies quatuordecim tacitis fidelium suffragiis comprobetur.
5. Confirmetur coram Ecclesia cum oratione ad Deum, et exhortatione ad populum, postquam ad ista interrogata responderit.

1. An se legitime sentiat ad hoc ministerium vocatum ?
2. An sola biblica scripta pro Dei Verbo recipiat ?
3. An ea fideliter populo prædicare velit ?
4. An se subiciat ecclesiasticæ disciplinæ ?

Qui semel legitime in sacro ministerio sunt confirmati, illud dum vivunt non deserent, nisi legitima incidat occasio, de qua iudicium erit penes synodum.

Fidei Pastoris et Ministri officia sunt.

1. Verbum Dei cum reverentia et simplicitate prædicare. •
2. Sacramenta administrare.
3. In oratione perseverare.
4. Disciplinam ecclesiasticam exercere.
5. Procurare ut omnia decenter et in ordine peragantur.

112. Honesta et justa merces ministro danda est.

Si quis senio vel morbo fiat ad ministerium inutilis, ab Ecclesia nihilominus alendus est.

De ministrorum viduis et orphanis habenda similiter est ratio.

Nullus minister in ministros alios primatum aut dominatum habebit, sed equaliter ecclesiasticum onus ferent.

Si minister in hoc sacro munere se non condigne gesserit adeo ut infamiæ notam sibi inusserit, a ministerio suspendatur, vel deponatur, idque magistratus consensu.

II. De *Doctoribus* nondum visum est aliquid constituere.

III. *De Senioribus.*

1. Eligantur seniores a verbi ministris, et conventu eccle-

siastico cum jejunio, et oratione ad Deum, et confirmentur in Ecclesia.

2. Munus seniorum est cum verbi ministris gregi invigilare, Ecclesiae membra invisere, ægrotos consolari, scandala ad consistorium deferre, cum verbi ministris de scandalis judicare, et quantum poterunt ex Ecclesia tollere.

3. Numerus seniorum sit pro arbitrio necessitate cujusque Ecclesiae.

IV. *De Diaconis.*

1. Diaconi sunt eligendi et confirmandi eo modo quo seniores.

Diaconorum munus est,

1. Eleemosynas et alia pauperum bona diligenter colligere.

2. Fideliter et discrete distribuere.

3. Pauperes et ægros amanter invisere et consolari.

4. Ne inutiliter eleemosynæ consumantur vigilanter prospicere.

5. Collectæ et expositæ pecuniæ rationem, singulis mensibus coram synedrio ecclesiastico reddent.

In omnibus Ecclesiis sive nascentibus, sive vegetis, prophetiæ ordo ex Pauli instituto observetur.

Ad hoc collegium cooptentur non modo ministri, sed etiam ex senioribus et diaconis, atque adeo ex ipsa plebe, siqui sunt qui donum suum a Domino acceptum, in communem Ecclesiae utilitatem conferre velint; ita tamen ut prius ministrorum atque aliorum probentur judicio.

1. Unaquæque Ecclesia suum habeat consistorium ex verbi ministro vel ministris, et senioribus dictæ Ecclesiae, consistens; qui singulis septimanis ad minimum semel convenient ad res incidentes pertractandum.

2. Verbi ministri per vices præsideant, designetur scriba, qui notatu digna scripta consignet.

3. Præsidis officium est,

1. Ex ordine sententias rogare.

2. Loquacibus silentium imponere.

3. Ex collatis suffragiis res concludere.

Quod in consistorio commode terminari non potest, ad classicum conventum deferatur.

Classicalis conventus consistat ex verbi ministris et seniori-

bus vicinarum aliquot Ecclesiarum. Huic conventui ministris et senioribus etiam non designatis interesse liceat, et sententiam dicere: interim designatorum sententiæ suffragii vires tantum obtinebunt: synodus est conventus vicinarum classium.

Ex unaquaque classe duo ministri et seniores duo designentur qui singulis annis ad minimum semel conveniant, et in conventu classico quod commode decidi non poterit, ad synodum deferatur.

Sancti baptismi sacramentum a solis verbi ministris est administrandum, unica vel trina tinctio censetur ἀδιάφορα.

Infantibus non sunt danda nomina barbara, superstitiosa, sed in sacris literis expressa.

Pueri peregrinorum ad baptismum ne afferantur, nec aliorum, nisi qui sunt membra Ecclesiæ.

Sacra cœna dominica a solis verbi ministris est administranda.

Nemo ad cœnam admittatur nisi qui fidei confessionem ante reddiderit, disciplinæ ecclesiasticæ se subjecerit, et vitæ inculpatæ testes produxerit.

Fractio panis necessaria omnino censetur.

Verba sanctæ cœnæ præcepta, et Apostoli Pauli declarationi consentanea, sunt retinenda.

Liberum est stando, sedendo, vel eundo cœnam celebrare, non autem geniculando, ob ἀπολαρπίας periculum.

Ante cœnæ diem fiat concio preparatoria, et a concione inter ministros, seniores, et diaconos fraterna exerceatur censura.

Neque mulier præsumat sacris cœtibus adesse, nisi capite velamine tecto.

Vigilandum est ne ulla Ecclesia, neglecta ecclesiastica disciplina, instituat.

Constat autem disciplina, tum in censura doctrinæ, tum in legitima morum correctione, in justo clavium a Domino Ecclesiæ datarum usu.

Hæc correctio et censura nequaquam delinquentem liberat a civili iudicio et magistratus gladio.

Si quis peccaverit in doctrinæ puritate, sive morum sanctitate, si occultum sit, observabitur regula quam præscribit Christus, Matt. 18.

“Si privata admonitione fratrem lucratus es, noli ejus crimen ad consistorium deferre; sed si duos aut tres fideliter admonentes non audierit, deferatur, ut in viam reducat.”

Peccata sua natura publica, aut per admonitionis privatae contemptum, publica, ex totius consistorii arbitrio modo et forma, ad ædificationem maxime accommodata, sunt corrigenda.

Qui pertinaciter consistorii admonitiones rejecerit, a cœna Domini suspendatur.

Si suspensus post iteratas admonitiones nullum poenitentiae signum dederit, ad excommunicationem procedat Ecclesia.

Processus ad excommunicationem sic erit :

Minister a suggesto (peccatoris nomine occultato) quid cum gravi quodam peccatore actum sit significabit : et ecclesiam ut pro peccatore impenitenti sedulo oret, movebit.

Peccatoris nomen præ cœtu publicabit, et significabit, ni respiscat excommunicandum esse ; si ne sic quidem ad respiscendum adduci potest, coram Ecclesia pertinacis hujusmodi peccatoris a corpore Ecclesiae fiet excommunicatio et abscissio.

Movebuntur fideles ne familiarem, et non necessariam cum excommunicato consuetudinem habeant ; sed ejus consortium vitent, hoc præcipue consilio ut pudore suffusus excommunicatus de respiscentia serio cogitet.

Qui gravia et Ecclesiae probrosa commisit peccata (ei etiam si verbis poenitentiam testetur) a cœnæ tamen communionem aliquot diebus, pro consistorii arbitrio suspendatur.

Si minister aut senior, aut diaconus aliquo crimine (quod Deus avertat) se contaminaverit, ab officio erit movendus ; si autem crimine aliquo occulto teneatur, a classico conventu censuram expectet, pro criminis magnitudine vel levitate.

Ut huic censuræ ordo commodius observetur, utile erit in binos, vel minimum in trinos menses classium cujusque conventum haberi, in quo de hujusmodi rebus diligens fiat exploratio.

Classium conventus non semper uno habendus est vos (*forſan* loco) ita ut Ecclesiarum alterius in alteram censura impediatur ; tum vero ut singularum Ecclesiarum exploratio fiat diligentior, de Verbi doctrina, vitæ ceremoniis (*forſan* sanctimonia) ac disciplinæ ratione.

113.

[Hic articulus, librarii vitio, sensus est impeditioris.]

Conclusio.

Hi articuli ad legitimum ordinem Ecclesiae spectantes, ita mutuo consensu sunt constituti, ut si utilitas Ecclesiarum

aliud postulet, mutari, augeri, et minui possunt et debent. Non erit tamen privatæ alicujus Ecclesiæ id facere ; sed dabunt omnes operam ut illas observent donec synodo aliter constituatur.

CXII.

A Form of Penance and Reconciliation of a Renegado or Apostate from the Christian Religion to Turcism.

Regist.
Laud.
fol. 290.
A.D. 1637.

Let the offender's conviction be first judicially had before the bishops of the diocese, that so they may stand, *apud acta*, his detection or confession ; and that thereupon an excommunication be decreed and denounced, both in the cathedral and parish-church where he lives : yet so as that, upon his submission there in court, he may be absolved *in diem*, and the form of his penance enjoined him in manner following.

Let the minister of the place have frequent conference with the party in private, lay open and aggravate the heinousness of this sin, both in respect of God, the Church, and his own soul, and see whether his conscience be troubled with any other grievous crime, that so he may be the better fitted for absolution of all together.

Let there be an order decreed in court referring him to the minister of the place, to see his penance performed accordingly, and to reconcile him to the Church ; and let that order be published in the parish-church, on a Sunday, at morning prayer, next before the communion service.

The next Sunday following, let the offender be appointed to stand all the time of divine service and sermon in the porch—(order must be taken that boys and idle people flock not about him)—of the church, if it have any,—if none, yet without the church-door, if extremity of weather hinder not,—in a penitent fashion, in a white sheet, with a white wand in his hand, his head uncovered, his countenance dejected, not taking particular notice of any one person that passes him ; and when the people come in and go out of the church, let him upon his knees humbly crave their prayers, and acknowledge his offence in this form :—

“ Good Christians, remember in your prayers a poor wretched apostate or renegado ! ”

The second Sunday let him stand in the church-porch, and

in his penitential habit, as before ; and then, after the Te Deum ended, let him be brought in by one of the church-wardens, so far as to the west side of the font of the said church ; there let him penitentially kneel till the second lesson be ended ; then let him make his submission, and ask mercy of God, in the form following :—

“ O Lord God of heaven and earth, be merciful to me a most wretched sinner. [*This said, let him smite his breast three times.*] I confess, O Lord, I have justly deserved to be utterly renounced by thee, because I have yielded to renounce my Saviour and that holy profession which I had formerly made of his name, whereby I was received into thy Church ; O God, forgive me this heinous and horrible sin, with all other my grievous sins against thee ; and let me, upon thy gracious pardon and infinite mercy, be restored to the rights and benefit of this blessed sacrament, which I have so wickedly abjured, and be received, though most unworthy, into thy gracious favour and the communion of thy faithful people, even for thy great mercy’s sake in Jesus Christ my blessed Lord and Saviour.”

Which done, let him in a humble and devout manner kiss the bottom stone of the font, strike his breast, and presently depart into the church-porch, as before.

The third Sunday, let him, at the beginning of the divine service, be brought into the body of the Church, and be placed near the minister’s pew, and there let him stand in his penitential habit during the time of divine service, where the minister, immediately before the Apostles’ Creed, shall publicly put the offender in mind of the foulness of his sin, and stir him up to a serious repentance, advising him that a slight and ordinary sorrow is not enough for so grievous an offence : which done, the minister shall ask the penitent publicly, whether he have found a true and earnest remorse in his soul for this sin ; and whether he has thoroughly humbled himself before God for it ; and whether he does desire that the whole congregation should take notice of his humiliation and repentance.

In signification whereof the offender shall say these words, or to the like effect, after the minister :—

“ I—[*let him here name himself, both by his Christian and his surname*—do here, in the presence of Almighty God, and before you his faithful people, humbly and penitently confess that I

have grievously offended the majesty of God and deeply wounded my own soul, in that I so far yielded to the weakness of my sinful flesh as that I suffered myself, through the cruelty of God's enemies, to be miscarried, to the renouncing of my dear Saviour and that true Christian religion wherein I was brought up ; I do well know what I have deserved, both at the hands of God and of his Church, for this wicked and graceless act ; and now, as I have often heretofore, betwixt God and mine own soul, washed this sin with my tears, and craved his merciful forgiveness, so I beseech you all to take knowledge of this my sorrow and public humiliation, and both to pardon and forgive that just offence which I have herein given to you also and the whole Church of Christ ; and also to join with me in humble and hearty prayers to Almighty God, that he will be pleased to seal unto my soul the full pardon and remission of this my grievous sin, even for the sake of his dear Son, my blessed Saviour and Redeemer ; in whose name and words I desire you to accompany these my prayers, saying with me, 'Our Father,' &c.

After this the minister shall speak to the congregation to this effect :—

114. " Seeing now, dear Christian brethren, that this offender has given so good and full testimony of his true repentance, and has so humbly and fervently craved the forgiveness of God and his Church, I shall not need to use many words in persuading you how ready you ought to be, both to conceive full hope of God's gracious pardon of him (as one who is always ready to prevent and meet us in our turning to him), and also to profess your forgiveness of him for so much as concerns his offence towards you, and charitably to embrace him with the arms of tender pity and compassion, as a true Christian convert to his Saviour ; gladly to welcome him into that holy communion, which his sinful fear and frailty caused him to forsake. Now, therefore, I do earnestly beseech you, in the bowels of Jesus Christ our blessed Saviour, to pass by the great offence of this sorrowful penitent, as well considering the weakness of our frail nature when it is over-pressed with violence and extremity of torments, and both to commiserate his fearful apostacy and to encourage and comfort him in this happy return to Christ and his Church."

Here let the penitent kneel down again eastward, and,

bowing to the very pavement, let him say thus, either by himself, if he be able to read it, or else after the minister :—

“ O my soul, bless the Lord ; blessed be the Father of mercies, and the God of all consolation ; blessed be the Lord Jesus, the Son of God, the Saviour of the world ; blessed be the Holy Spirit, God the Holy Ghost ; blessed be the Holy Trinity, one God everlasting ; blessed be the holy Catholic Church, and all you the servants of the Lord Jesus Christ ; the name of God be blessed evermore for the assembly of his saints, and for the divine ordinances of his most holy word and sacraments, and of his heavenly power committed to his holy priests in his Church for the reconciliation of sinners unto himself, and the absolving them from all their iniquity. Lo ! here I, upon the bended knees of my body and soul, most humbly beg the assistance of all your Christian prayers, and the benefit of that his holy ordinance ; and I humbly beseech you, sir, as my ghostly father, a priest of God, and the Church's deputy, to receive me into that grace and into the bosom of the Church ; and by loosing me from the bands of my grievous sins, to make me partake of that inestimable benefit, and so to reconcile me unto the mystical body of Christ Jesus my Lord and Saviour.”

Then let the priest come forth to him, and stand over him, and, laying his hand on his head, say as is prescribed in the Book of Common Prayer, thus :—

“ Our Lord Jesus Christ, who has left power to his Church to absolve all sinners which truly repent and believe in him, of his great mercy forgive thee thine offences ; and by his authority, committed to me, I absolve thee from this heinous crime of renunciation, and from all other thy sins, in the name of the Father, and of the Son, and of the Holy Ghost. Amen.”

Then let the priest, turning himself eastward, kneel down in the same place, the penitent kneeling behind him, and say the collect which stands after the Absolution in the Visitation of the Sick, but changing the latter part of it thus :—

“ O most merciful God, who according to the multitude of thy mercies doth so put away the sins of those which truly repent that thou rememberest them no more, open thine eye of mercy upon this thy servant, who most earnestly desires pardon and forgiveness ; renew in him, most loving Father, whatsoever

has been decayed by the fraud and malice of the devil, or by his own carnal will and frailness; preserve and continue him in the unity of the Church; consider his contrition, and accept his humiliation: and forasmuch as he puts his full trust only in thy mercy, impute not unto him his former abnegation of thee, but receive him into thy favour, through the merits of thy beloved Son Christ Jesus our Saviour. Amen."

After that let the minister take him up, and take away his white sheet and wand, and, taking him by the hand, say unto him:—

"Dear brother,—for so we all now acknowledge you to be,—let me here advise you, with what care and diligence, every day of your life, you ought to consider how much you are bound to the infinite goodness of God, who has called you out of that woeful condition, whereinto you had cast yourself; and how much it concerns you ever hereafter to walk worthy of so great a mercy, being so much more careful to approve yourself in all holy obedience to God, by how much more you have dishonoured him by this your shameful revolt from him, which the same God, the Father of mercies, vouchsafe to enable you unto, for the sake of the dear Son of his love, Jesus Christ the Righteous. Amen."

After this let him be openly promised, that, upon any communion-day following, he shall be admitted to the holy sacrament, for which let him be directed to prepare himself; and when he receives, let him make a solemn oblation, according to his ability, after the order set down in the Service-book.

CXIII.

The Sentence of Deposition, &c., pronounced against Mr. John Guthry, Bishop of Murray; Mr. John Graham, Bishop of Orkney; Mr. James Ferley, Bishop of Lismore; Mr. Neile Campbell, Bishop of the Isles, by the pretended Assembly at Glasgow.

Rushworth's
Hist. Col-
lect. pt. 2.
p. 865.
A. D. 1638.

The General Assembly having heard the libels and complaints given in against the foresaid pretended bishops to the presbytery of Edinburgh and sundry presbyteries within their diocese, and by the said presbyteries referred to this assembly to be tried, the said pretended bishops, being lawfully cited, oftentimes called, and not compeering, proceeded to the cogni-

tion of the complaints and libels exhibited against them ; and, finding them guilty of the breach of the Cautions agreed upon in the assembly of Montrose, A.D. 1600, for restricting of the minister-votes in parliament from encroaching upon the liberties and jurisdictions of this Kirk, which was set down with certification of deposition, infamy, and excommunication ; and especially for receiving consecration to the office of episcopacy, condemned by the "Confession of Faith," and acts of this Kirk, as having no warrant nor fundament in the Word of God, but by virtue of this usurped power, and power of the high commissions, pressing the Kirk with novations in the worship of God ; and for their refusal to underlie the trial of the reigning slander, and of sundry other gross transgressions and offences laid to their charge ; therefore, the assembly, moved with zeal to the glory of God and purging of this Kirk, ordains the said pretended bishops to be deposed, and by these presents doth depose them, not only of the office of commissi-
onary to vote in parliament, council, or convention, in the name of the Kirk, but also of all functions, whether of pretended episcopal or ministerial calling ; and likewise, in case they acknowledge not this assembly, reverence not the constitution thereof, and obey not the sentence, and make not their repentance conform to the order prescribed by this assembly, ordains them to be excommunicated, and declared to be of those whom Christ commandeth to be holden by all and every one of the faithful as ethnicks and publicans, and the sentence of excommunication to be pronounced upon their refusal, in the Kirks appointed by any of these who are particularly named, to have the charge of trying their repentance or impenitency ; and that the execution of this sentence be intimate in all the Kirks within this realm, by pastors of every particular congregation, as they will be answerable to their presbyteries or synods, or the next general assembly in case of negligence of the presbyteries or synods.

CXIV.

The Earl of Traquair, Lord Commissioner for Scotland, his Instructions with Reference to the General Assembly at Glasgow.

C. R.

July 27,
A.D. 1639.
Rushworth's
Hist. Col-
lect, pt. 2.
p. 949.

At the first meeting of the assembly, before it be brought in dispute who shall preside, you shall appoint him who was moderator in the last assembly to preside in this, till a new moderator be chosen.

We allow that lay-elders shall be admitted members of this assembly, but in case of the election of commissioners for presbyteries, the lay-elders have had voice, you shall declare against the informality thereof; as also against lay-elders having voice in fundamental points of religion.

At the first opening of the assembly, you shall strive to make the assembly sensible of our goodness.—And that for great and weighty considerations, we have commanded the archbishops and bishops not to appear at this assembly.

You shall not make use of the assessors in public, unless you find you shall be able to carry their having vote in the assembly.

You shall labour to your utmost, that there be no question made about the last assembly; and in case it come to the worst, whatever shall be done in ratification, or with relation to the former assembly, our will is that you declare the same to be done as an act of this assembly, and that you consent thereto only upon these terms, and no ways as having any relation to the former assembly.

You shall by all means shun the dispute about our power in assemblies; and if it shall be urged, or offered to be disputed, whether we have the negative voice, or the sole power of indicting, and consequently of dissolving, except you see clearly that you can carry the same in our favour, stop the dispute; and rather than it be decided against us, stop the course of the assembly until we be advertised.

For the better facilitating of our other services, &c. we allow you to declare, that notwithstanding our own inclination, or any other considerations, we are contented for our people's full satisfaction to remit episcopacy, and the estate of the bishops,

to the freedom of the assembly ; but so as no respect be had to the determination of the point in the last assembly.

But in giving way to the abolishing of episcopacy, be careful that it be done without any warrant from the bishops ; and if any offer to appear for them, you are to enquire for their warrant, and carry the dispute so, as the conclusion may seem not to be made in prejudice of episcopacy, as unlawful, but only in satisfaction to the people for settling the present disorders, and such other reasons of state.

The general assembly is not to meddle with any thing that is civil, or which formerly has been established by act of parliament, but upon his majesty's special command or warrant.

We will not allow of any commissioner from the assembly, or any such act, as may give ground for the continuing of the Tables or Conventicles.

In case episcopacy be abolished at this assembly, you are to labour, that we may have the power of choosing so many ministers as may represent the fourteen bishops in parliament ; or, if that cannot be, that fourteen others whom we shall present, be agreed to, with a power to choose the " Lords of the Articles" for the nobility at this time, till the business be farther considered.

We allow that episcopacy be abolished for the reasons contained in the articles, and the covenant of 1580, for the satisfaction of our people be subscribed ; provided it be so conceived that thereby our subjects be not forced to abjure episcopacy as a point of popery, or contrary to God's law, or the Protestant religion ; but if they require it to be abjured, as contrary to the constitution of the Church of Scotland, you are to give way to it rather than make a breach.

Some part of the instructions foreign to the argument have been omitted.

The king, at his return to London, wrote the following letter to the archbishop of St. Andrew's.

CXV.

*Right trusty and well-beloved Councillor, and Reverend Father
in God, we greet you well.*

Your letter, and the rest of the bishops, (sent by the elect of Cathness) to my lord of Canterbury, has by him been com-

August 6,
A.D. 1652.
Rushworth's
Hist. Col-
lect. pt. 2.
p. 951.

municated to us : and, after serious consideration of the contents thereof, we have thought fit ourself to return this answer to you for direction, according to our promise, which you are to communicate to the rest of your brethren.

We do in part approve of what you have advised concerning the prorogating the assembly and parliament, and must acknowledge it to be grounded on reason enough, were reason only to be thought on in this business : but considering the present state of our affairs, and what we have promised in the "Articles of Pacification," we may not (as we conceive) without great prejudice to ourself, and service, condescend thereunto ; wherefore we are resolved (rather necessitated) to hold the assembly and parliament at the time and place appointed ; and for that end we have nominated the earl of Traquair our commissioner, to whom we have given instructions not only how to carry himself at the same, but a charge also to have a special care of your lordships, and those of the inferior clergy, who have suffered for their duty to God, and obedience to our commands. And we do hereby assure you, it shall be one of our chiefest studies how to rectify and establish the government of that Church aright, and to repair your losses, which we desire you to be most confident of.

116.

As for your meeting to treat of the affairs of the Church, we do not see at this time how that can be done ; for within our kingdom of Scotland we cannot promise you any place of safety, and in any other of our dominions we cannot hold it convenient, all things considered ; wherefore we conceive, that the best way would be for your lordships to give in, by way of protestation or remonstrance, your exceptions against the assembly and parliament, to our commissioners, which may be sent by any mean man, so he be trusty, and deliver it at his entering into the Church ; but we would not have it either read or argued in this meeting, where nothing but partiality is to be expected, but to be represented to us by him ; which we promise to take so into consideration as becometh a prince sensible of his own interest and honour, joined with the equity of your desires ; and you may rest secure, that though perhaps we may give way for the present to that which will be prejudicial both to the Church and our own government, yet we shall not leave thinking in time how to remedy both.

We must likewise intimate unto you, that we are so far

from conceiving it expedient for you, or any of my lords of the clergy, to be present at this meeting, as we do absolutely discharge you going thither; and for your absence this shall be to you, and every of you, a sufficient warrant. In the interim, your best course will be to remain in our kingdom of England, till such time as you receive our farther order, where we shall provide for your subsistence, though not in that measure as we could wish, yet in such a way as you shall not be in want.

Thus you have our pleasure briefly signified unto you, which we doubt not but you will take in good part. You cannot but know, that what we do in this, we are necessitated to. So we bid you farewell.

Whitehall, Aug. 6, 1639.

C. R.

CXVI.

Farther Instructions given to the Earl of Traquair, Lord High Commissioner, at the General Assembly at Edinburgh.

Charles R.

Right trusty,

We have hitherto commanded Hamilton to answer several of your letters; but that of the 16th of August, being of more weight than any of your former, we have thought fit to answer it ourself.

Rushworth's
Hist. Col-
lect. pt. 2.
p. 953.

And whereas you say nothing will satisfy them except *in terminis* the last assembly be named and ratified, or that way be given to the discharging of episcopacy as abjured in that Church, as contrary to the "Confession of Faith" in 1580, and the constitutions of the same: you being yet in some hope that the word "abjured" may be got changed; and that, in drawing up the words of the act, it be only condemned as contrary to the constitution of the Church. We in this point leave you to your instructions, they being full, if you consider what we have said concerning episcopacy and subscribing the "Confession of Faith" in 1580. We, thinking it fit to declare hereupon unto you, that, let their madness be what it will, farther than we have declared in our instructions in these points we will not go.

For the Service Book and Book of Canons, though we have

been and are content they be discharged, yet we will never give our voice nor assent that they be condemned, as containing divers heads of popery and superstition. In like manner, though we have been and are content that the high commission be discharged, yet we will never acknowledge that it is without law, or destructive to the civil or ecclesiastical judicatures of that our kingdom; nor that the Five Articles of Perth, though discharged with our approbation, be condemned as contrary to the foresaid confession.

As concerning the late assemblies, we cannot give our consent to have them declared null, since they were so notoriously our father (of happy memory) his acts: it seeming strange, that we, having condescended to the taking away these things that they complained of, which were done in those assemblies, they will not be content therewith, without laying an aspersion on our father's actions.

Wherefore, if the assembly will, in despite of your endeavour, conclude contrary to this, you are to protest against their proceedings in these points, and be sure not to ratify them in parliament.

The article in your instructions, which is only that the covenant of 1580 shall be subscribed, you must have an especial care of, and how you proceed therein; that the bond be the same which was in our father's time, *mutatis mutandis*; and that you give your assent no otherwise to the interpretations thereof than may stand with our future intentions, well known to you. Nor is the same otherwise to be ratified in parliament.

The rest is omitted.

CXVII.

A Letter and an Address from the University of Cambridge to the House of Commons, and read in the House, May 12, 1641.

Honoratissimis Viris Equitibus, Civibus, et Burgensibus, Supremæ Curiae Parliamentariæ Senatoribus Consultissimis.

Summa cum demissione.

Rushworth's
Hist. Col-
lect. pt. 3.
p. 272.

Senatores honoratissimi,
Non veremur ne volventibus tanta negotia molesti simus
Academia Cantabrigiensis, cum nihil sit aut ad religionem

certius, aut ad splendorem nominis excelsius, quam suscipere literarum clientelam. In quo studio cum singularis animi vestri propensio semper eluxerit, tum nulla in re magis possit eminere, quam si Ecclesiae honestamenta ea, quae sub optimis regibus tamdiu obtinuerunt, indelibata tueamini.

Non enim agitur unius academiae, non unius aetatis causa; nam nec industria poterit non relanguescere, nec bona indoles ali, atque augeri, nec vota parentum non in irritum cadere, nisi spe non vana suffulciantur. Quam praematurum putemus bonis artibus occasum imminere, si stipendium idem militi sit quod imperatori! Sunt qui expediendis scholasticorum ambagibus, evolvendis antiquorum patrum monumentis, expurgandae faeci Romanae, velut Augusae stabulo, se totos impenderunt; nec aliam mercedem prensant, quam in Ecclesia cathedrali, tandem aliquando quasi in portu conquirere; ita fit, ut quod ignavis asylum incitiae est, id candidioribus ingeniis pro stimulo sit ad optima persequenda, nec aequitas iudiciorum vestrorum feret improbositatem nonnullorum in publicam calamitatem redundare. Impetigo Romana quam amplam tum sibi nacta videbitur se defendendi materiam, cum non sit nisi imbelles adversarios habitura! Neque enim certamini vacare possunt, qui id unice agunt, ut in rostris concionibus sudent; etiamnum persentiscere nobis videmur nudam et inanem academiam, et antiquam paupertatem quasi praeludio perhorrescimus: nec vestra progenies non aliquando ventura est, in tantarum miseriarum partes. Quin itaque, senatores amplissimi! per spes parentum, per illecebras industriae, per subsidia simul et ornamenta pietatis, per vincula, nervos et firamenta literarum, velitis splendorem Ecclesiae, qui longissimis ab usque temporibus ad nostra tempora deductus est, auctoritate vestra communire. Sed quia lingua nativa dolores et desideria sua foelicius exprimit, annexam litteris petitionem benevolis auribus excipietis.

117.

Datæ e frequente conventu nostro Cantabr. tertio Idus Aprilis, 1641.

Honori vestro deditissimi Procancellarius, reliquosque Cœtus Academiae Cantabrigiensis.

To the Honourable the Knights, Citizens, and Burgesses of
the House of Commons, assembled in Parliament.

The Humble Petition of the University of Cambridge,
Sheweth,

That your petitioners having heard of divers suggestions offered to this honourable court, by way of remonstrance, tending to the subversion of cathedral churches, and alienation of those lands, by which they are supported, being the ancient inheritance of the Church, founded and bestowed by the religious bounty of many famous and renowned kings and princes of this land, and other benefactors both of the clergy and laity, and established and confirmed unto them by the laws of this kingdom ; and so accordingly have been employed to the advancement of learning, the encouragement of students, and preferment of learned men ; besides many other pious and charitable uses.

May it please this honourable court, out of their great wisdom and tender care for the cherishing of learning, and furtherance of the studies and pains of those who have and do devote themselves to the service of the Church, graciously to protect and secure those religious foundations from ruin and alienation ; and withal to take order that they may be reduced to the due observation of their statutes ; and that all innovations and abuses, which have by some men's miscarriages crept in, may be reformed, that so the students of our university, which by the present fears are discouraged, may be the better invited to pursue their studies with alacrity, and the places themselves disposed to the most serviceable and deserving men, according to the first institution.

And your petitioners, as in duty bound,
shall ever pray, &c.

The application of the university of Oxon is much to the same sense, and runs thus :—

To the High and Honourable Court of Parliament, the
humble Petition of the University of Oxon,

Sheweth,

That, whereas the university hath been informed of several

Rushworth's
Hist. Col-
lect. part 3.
p. 270.
Nelson's
Impartial
Collect. &c.
vol. 2.
p. 305.
A.D. 1641.

petitions concerning the present government of this Church, and maintenance of the clergy, which have of late been exhibited to this honourable assembly; we could not but think ourselves bound in duty to God, and this whole nation, in charity to ourselves and successors, who have, and are like to have, more than ordinary interest in any resolution that shall be taken concerning Church affairs, in all humility, to desire the continuance of that form of government which is now established here, and hath been preserved in some of the Eastern and Western Churches, in a continued succession of bishops, down from the very apostles to this present time, the like whereof cannot be affirmed of any other form of government in any Church. Upon which consideration, and such other motives as have been already represented to this honourable parliament from other persons and places (with whom we concur) in behalf of episcopacy, we earnestly desire that you would protect that ancient and apostolical order from ruin or diminution.

Rushworth's
Hist. Col-
lect. pt. 3.
p. 270.
Nelson's
Impartial
Collect. &c.
vol. 2.
p. 305.
A.D. 1641.

And we become farther suitors for the continuance of those pious foundations of cathedral churches, with their lands and revenues.

As dedicated to the service and honour of God, soon after the plantation of Christianity in the English nation.

As thought fit and useful to be preserved for that end, when the nurseries of superstition were demolished, and so continued in the last and best times since the blessed Reformation, under king Edward VI., queen Elizabeth, and king James, princes renowned through the world for their piety and wisdom.

As approved and confirmed by the laws of this land, ancient and modern.

As the principal outward motive and encouragement of all students, especially in divinity, and the fittest reward of some deep and eminent scholars.

As producing and nourishing in all ages many godly and learned men, who have most strongly asserted the truth of that religion we profess, against the many fierce oppositions of our adversaries of Rome.

As affording a competent portion in an ingenuous way, to many younger brothers of good parentage, who devote themselves to the ministry of the Gospel.

118.

As the only means of subsistence to a multitude of officers and other ministers, who with their families depend upon them, and are wholly maintained by them.

As the main authors or upholders of divers schools, hospitals, highways, bridges, and other public and pious works.

As special causes of much profit and advantage to those cities where they are situate, not only by relieving their poor, and keeping convenient hospitality, but by occasioning a frequent resort of strangers from other parts, to the great benefit of all tradesmen, and most inhabitants in those places.

As the goodly monuments of our predecessors' piety, and present honour of this kingdom in the eye of foreign nations.

As the chief support of many thousand families of the laity, who enjoy fair estates from them in a free way.

As yielding a constant and ample revenue to the crown ; and as by which many of the learned professors in our university are maintained.

The subversion or alienation whereof must (as we conceive) not only be attended with such consequences as will redound to the scandal of many well affected to our religion, but open the mouths of our adversaries, and of posterity against us, and is likely in time to draw after it harder conditions upon a considerable part of the laity, an universal cheapness and contempt upon the clergy, a lamentable drooping and defection of industry and knowledge in the universities ; which is easy to foresee, but will be hard to remedy.

May it therefore please this honourable assembly, upon these and such other considerations as your great wisdom shall suggest, to take such pious care for the continuance of these religious houses, and their revenues, according to the best intentions of their founders, as may be to the most furtherance of God's glory and service, the honour of this Church and nation, the advancement of religion and learning, the encouragement of the modest hopes and honest endeavours of many hundred students in the universities.

Who do, and shall ever pray, &c.

Dat. an. Dom. millesimo sexcen' quad' primo e domo convocationis in celebri conventu doctorum ac magistrorum, omnibus et singulis assentientibus.

CXVIII.

King Charles I.'s Vindication of himself from the Misrepresentations of the Assembly-Divines, in a Manifesto to the Protestants beyond Sea.

Carolus, singulari Omnipotentis Dei Providentia, Angliæ, Scotiæ, Franciæ, et Hiberniæ Rex, Fidei Defensor, &c. universis et singulis qui præsens hoc scriptum ceu protestationem inspexerint, potissimum reformatæ Religionis cultoribus cujuscunque sint gentis, gradus, aut conditionis, salutem, &c.

Cum ad aures nostras non ita pridem fama pervenerit, sinistros quosdam rumores, literasque politica, vel perniciosa potius, quorundam industria sparsas esse, et nonnullis Protestantium Ecclesiis in exteris partibus emissas, nobis esse animum et consilium ab illa orthodoxa religione quam ab incunabulis imbibimus, et ad hoc usque momentum per integrum vitæ nostræ curriculum amplexi sumus recedendi; et papismum in hæc regna iterum introducendi. Quæ conjectura, seu nefanda potius calumnia, nullo prorsus nixa vel imaginabili fundamento, horrendos hosce tumultus, et rabiem plusquam belluinam in Anglia suscitavit sub prætextu cujusdam (chimericæ) reformationis, regimini legibusque hujus domini non solum incongruæ, sed incompatibilis: volumus, ut toti Christiano orbi innotescat, ne minimam quidem animum nostrum incidisse cogitaticulam hoc aggrediendi, aut transversum unguem ab illa religione discedendi, quam cum corona sceptroque hujus regni solemniter et sacrosancto juramento tenemur profiteri, protegere et propugnare. Nec tantum constantissima nostra praxis, et quotidiana in exercitiis præfatæ religionis præsentia, cum crebris in facie nostrorum agminum asseverationibus, publicisque procerum hujus regni testimoniis, et sedula in regiam nostram sobolem educando circumspectione, (omissis plurimis aliis argumentis) luculentissime hoc demonstrat, sed etiam fælicissimum illud matrimonium quod inter nostram primogenitam, et illustrissimum principem Auriacum sponte contraximus, idem fortissime attestatur: quo nuptiali fœdere insuper constet, nobis non esse propositum illam profiteri solummodo, sed expandere et corroborare quantum in nobis situm est.

Hanc sacrosanctam Anglicanæ Christi Ecclesiæ religionem,

Hist. of the English and Scotch Presbytery written in French by an eminent Divine of the Reformed Church, and made English by Matthew Playford, Minister of Stanmore in Middlesex, printed A. D. 1659.

tot theologorum convocationibus sancitam, tot comitiorum edictis confirmatam, tot regis diplomatibus stabilitam, una cum regimine ecclesiastico, et liturgia ei annexa, quam liturgiam regimenque celebriores Protestantium authores, tam Germani quam Galli, tam Dani quam Helvetici, tam Batavi quam Bohemi, multis elogiis, nec sine quadam invidia, in suis publicis scriptis comprobant et applaudant, ut in transactionibus Dordrechtanæ synodus, cui nonnulli nostrorum præsulum, quorum dignitati debita præstita fuit reverentia (interfuerunt;) apparet: istam inquam religionem quam regius noster pater (beatissimæ memoriæ) in illa celeberrima fidei suæ confessione, omnibus Christianis principibus (ut et hæc præsens nostra protestatio exhibita) publice asserit: istam religionem solenniter protestamur, nos integram, sartam, tectam, et inviolabilem conservaturos, et pro virili nostro (Divino adjuvante Numine) usque ad extremam vitæ nostræ periodum protecturos, et omnibus nostris ecclesiasticis, pro muneri nostri et supradicti sacrosancti juramenti ratione, doceri et prædicari curaturos. Quapropter injungimus, et in mandatis damus omnibus ministris nostris in exteris partibus, tam legatis, quam residentibus, agentibusque, et nunciis, reliquisque nostris subditis ubicunque orbis Christiani terrarum, aut curiositatis aut commercii gratia degentibus, hanc solennem et sinceram nostram protestationem, quandocunque sese obtulerit loci et temporis opportunitas, communicare, asserere, asseverare.

Dat. in academia et civitate nostra Oxoniensi, pridie Idus Maii, 1644.

119.

CXIX.

Concessions made by the Church Commissioners at the Savoy, for Alterations in the Common Prayer.

*Papers that passed between the commissioners at the Savoy conference, &c.
A.D. 1661.*

We are willing that all the Epistles and Gospels be used according to the last translation.

That when any thing is read for an Epistle, which is not in the Epistles, the superscription be, *for the Epistle*.

That the Psalms be collated with the former translation, mentioned in Rubric, and printed according to it.

That the words, *this day*, both in the Collects and Prefaces,

be used only upon the day itself, and for the following days it be said, *as about this time.*

That a longer time be required for signification of the names of the communicants, and the words of the Rubric be changed into these, *at least some time the day before.*

That the power of keeping scandalous sinners from the communion, may be expressed in the Rubric, according to the 26th and 27th canons, so the minister be obliged to give an account of the same immediately after to the ordinary.

That the whole Preface be prefixed to the commandments.

That the second Exhortation be read some Sunday or holy-day before the celebration of the communion, at the discretion of the minister.

That the general Confession at the communion be pronounced by one of the ministers, the people saying after him, all kneeling humbly upon their knees.

That the manner of consecrating the elements be made more explicit and express; and to that purpose those words be put into the Rubric, *then shall he put his hand upon the bread and break it*; then shall he put his hand unto the cup.

That if the font be so placed as the congregation cannot hear, it may be referred to the ordinary to place it more conveniently.

That those words, *Yes, they do perform those, &c.* may be altered thus; *because they promise them both by their sureties.*

That the words of the last Rubric before the Catechism may be thus altered, *That children being baptized, have all things necessary for their salvation, and dying before they commit actual sins, be undoubtedly saved, though they be not confirmed.*

That to the Rubric after Confirmation, these words may be added, *or be ready and desirous to be confirmed.*

That those words, *with my body I thee worship*, may be altered thus; *with my body I thee honour.*

That those words, *till death us depart*, be thus altered, *till death us part.*

That the words *sure and certain* may be left out.

1

SOME REMARKS
ON
DR. KENNET'S
SECOND AND THIRD LETTERS.

WHEREIN

HIS MISREPRESENTATIONS OF MR. COLLIER'S ECCLESIASTICAL HISTORY ARE LAID OPEN ; AND HIS CALUMNIES DISPROVED.

DOCTOR KENNET, in his Second Letter, was pleased to charge my Church History with partiality. The articles, I confess, run high, and touch an author's credit in the most sensible part. However, the instances being few, I hoped the reader would not take the doctor upon content, but examine the evidence. The bare inspecting the books, I knew, was sufficient to discover and disappoint the doctor. I chose, therefore, to say nothing under ill usage, rather than publicly engage in a squabble ; but since the doctor has printed a Third Letter upon the same subject, enlarged his impeachment, and gone farther in his former civility, silence will be construed guilt, and I can be passive no longer : he has dragged me into the quarrel, and I must enter the lists, though never so unwilling.

The doctor begins with affirming, "their advancing their churchmen for being contenders and champions against the powers of sovereign princes, is the partial favour of their Church historian, Mr. Collier, who all along defends the prelate against the king, not only in the case of Anselm, but of that greater incendiary, Thomas Becket, whose extreme insolence upon the breach of his faith to the king and lords was, I say, it may be, pushing matters too far."

To this I answer,—

1.

Dr. Kennet's Second Letter, &c.
p. 10.

First. As to Anselm, though Fox discommends him for contesting with king William Rufus about the owning pope Urban II., yet, that Anselm held the right side of the question, I have endeavoured to make good by several arguments, which the doctor should have disproved before the preferring his complaint.

Eccles. Hist.
p. 297.

And as for the dispute between the crown and this archbishop in the next reign about the investitures, the king was satisfied with the pope's temper for adjusting the difference, gave up his claim as to the main, and was perfectly reconciled to Anselm; and thus, excepting the stretch of the pope's pretensions, there was nothing unprimitive desired; for, that the first English bishops used to enter upon their office without an authority from the crown, shall be proved afterwards.

I come now to the second branch of the doctor's charge, where he tells the reader, that "incendiary Thomas Becket's insolence and breach of faith to the king and lords" is softened almost to an excuse, and gently reprov'd only with a "may be it was pushing matters too far." Now, to show the doctor's talent in quotations, I shall bring the point to the test, and cite the passage in question somewhat at length.

Dr. Kennet's Second Letter, p. 10.

And here he is reported "inexcusable for traversing the ground; moving backwards and forwards, engaging and retracting, with respect to the articles of Clarendon. He was likewise to blame for quitting the kingdom without the king's leave, this being a direct breach upon the fourth article of those constitutions. Farther, his tenet, that the civil government had its authority from the Church, was a grand mistake, and misguided his practice. His refusing to return to his see upon the most advantageous precedents and the best terms enjoyed by any of his predecessors, and, farther, his breaking off the accommodation only for being denied the 'kiss of peace,' are indefensible lengths of incomppliance. And for his stiffness in these points, he is blamed even by Neubrigensis."

Collier's Eccles. Hist.
vol. 1.
p. 374.

Thus, we see, there is a direct censure upon several parts of his conduct: his memory is loaded with inconstancy and breach of faith with respect to the articles of Clarendon; he is charged with maintaining a false principle of dangerous consequence: not to repeat the rest. And all this without any questioning the faults, without any softening "it may be's," or abatements for mitigation. Now, since these remarks upon arch-

bishop Becket were laid all together, the doctor's misreporting them in so lamentable a manner must be extremely surprising. And, to mention only one part of the censure, I can assure him, I reckon the breach of faith to a king, &c., a crime of no ordinary size; and, if I had diluted the charge, and lessened the misbehaviour in Becket, with an "It may be it was pushing matters too far," I should have deserved what the doctor would put upon me; but since all this is affirmed without any colour of truth, since the looking upon my History is demonstrative disproof, the article of misrepresenting will fall to his own share, and the charge rebound strongly upon himself.

The doctor goes on, and seems surprised at my saying, "the most unexceptionable parts of Becket's conduct may be said to have been more the faults of the age than of the man." That this remark is no compliment to the archbishop's memory, appears by what I observed, from the privileges granted the clergy by the Theodosian and Justinian codes, by the canon law in Gratian's Decretum, and by several precedents and authorities in the old English constitution: from all which there were pretty strong colours to mislead an honest mind in the question then debated,—that is, the exemption of clerks from being tried in temporal courts. And now, if the doctor wonders at anybody's art or ignorance in representing the case, it must be his own.

Collier's
Eccles. Hist.
vol. 1.
p. 373 to
375.

The next article runs still higher: for if the doctor may be believed, "I not only speak smother things of queen Mary, the burner of heretics, than of our Protestant queen Elizabeth; but I really speak better of Gardiner and Bonner, papal Fox and Butcher, than of Cranmer, &c."

The parallel I drew between the two queens with respect to the Church was one of bishop Burnet's objections: and, to the answer I then returned, I shall refer the reader. And what "smooth things" I "speak" of the "burning heretics," the doctor knows very well, if he has read my book; and, if he has not, I think justice should have kept him silent. However, since he prosecutes with so much warmth and assurance, I must transcribe one passage amongst others for counter-evidence. The words then are these:—

Dr. Kennet's Second
Letter,
p. 11.

An Answer
to some
Exceptions
in Bishop
Burnet's
Third Part
of the History
of the Reformation,
&c.
p. 5.

"The proceedings against the reformed in this reign were extremely bloody and barbarous. To destroy people for points of mere speculation, and which have no ill effect upon practice

and civil government, seems very remote from the spirit of Christianity. Supposing truth on the persecuting side, yet to burn a man, because he will not belie his conscience and turn hypocrite, is strangely unaccountable."

Collier's
Eccles. Hist.
vol. 2.
p. 397. 382.

I might go on much farther to the same purpose; but this may serve for another proof of the doctor's clear dealing.

And whereas he says, "I speak really better of Gardiner and Bonner, than of Cranmer, &c." I shall only desire the reader to consult the History, where, at first sight, he will plainly discover the falsehood and unbenevolence of this affirmation.

Ibid. vol. 2.
p. 393. 406.
407.

His joining my historical performance with a book under public censure, without distinguishing upon the quota, and assigning the proportion to each,—his making these books most remarkably "calculated for softening popery," and bringing in "tyranny of Church and crown,"—is another instance of the doctor's temper.

Dr. Kennet's Second
Letter, p. 37.
38.

But all this coming without any pretence of proof as to my particular, and that which follows being nothing but naked invective, nothing but rambling and railing, I shall consider it no farther.

And as I have meddled with nothing in the doctor's second letter, but what relates to myself, I shall confine my remarks upon his third within the same compass.

And here the first thing I shall observe is his flourish upon Wickliff's character: he commends him for his honesty, but offers nothing to make it out: he says he "left several judicious and zealous followers," meaning the Lollards. That these Lollards maintained their opinions with a great deal of zeal, or heat, is beyond dispute: their remonstrance to the parliament, the rebellion under sir John Oldcastle, to mention nothing more, is sufficient warrant for this part of their character: but that their judgment was far short of their vigour is pretty plain from their declaring war and capital punishment utterly unlawful.

Dr. Kennet's Third
Letter, &c.
p. 7.

Collier's
Eccles. Hist.
vol. 1.
p. 598. 632.
645. 646.
vol. 2. Pref.
p. 8.
Spelman,
Conc. vol. 2.
p. 646. et
deinc. Dr.
Kennet,
ibid. p. 9.

Besides, their pretending a divine commission for publishing this false doctrine is no good evidence for their honesty.

The doctor goes on with his commendation, and makes Wickliff the glory of our nation, and the honour of our mother Oxford, with some other exalted strains of panegyric. Now, not to repeat the heterodoxies charged upon Wickliff, and the authorities for proof, which the reader may see in the first

volume of my Church History ; not to repeat this, I cannot help observing, that notwithstanding all the honour and glory the doctor bestows upon Wickliff, it is plain he died in the communion of the Church of Rome.

The doctor, in his next courtesy to Wickliff, affirms that the university of Oxford gave a public attestation of his abilities and merits, even after his death. Collier's
Eccles. Hist.
vol. 1.
p. 586.

He means a letter published in the name of that university, in Wickliff's commendation : this was done in the reign of king Henry IV. But that this testimonial is plainly counterfeited, and little better than a beggar's pass made under a hedge, I have fully proved from "Wood's Antiquities," &c. 3.
Dr. Kennet, ibid. Indeed the marks of forgery, with respect to Wickliff's character, and many other circumstances, are so staringly apparent, that unless the reader's prejudice makes him wink hard, it is next to impossible to miss them. Collier's
Eccles. Hist.
vol. 1.
p. 624.

However, the counterfeiting this testimonial, is a good argument (if we had no other) that Wickliff died in the communion of the then English, that is, of the Roman Church ; for had he either separated himself, or been excommunicated by his bishop, the recommending his memory, and dilating upon his merit, would have laid open the cheat at first sight, and hindered it from passing upon the easiest understanding : the universities venturing to flourish upon so a dangerous a subject, would have looked like a romantic story ; especially considering the act for burning heretics was so lately made, and executed too. But this statute is now repealed, and therefore no more needs be said about it. 2 Hen. 4.
cap. 15.
29 Charles 2.
cap. 3.

To proceed : the doctor affirms, our "archbishops and bishops were at first nominated and appointed by our Christian kings." And why not our heathen kings too ? What makes the difference between a Christian and a Pagan prince ? Dr. Kennet's Third
Letter,
p. 11. Nothing certainly but baptism. I desire to know, then, whether a king's baptism implies more privilege than that of a subject : is not this sacrament administered to every body with the same matter, form, and ceremonies ? If therefore a prince is baptized a Church governor, all his subjects must be so too. But this supposition is big with contradiction, destroys the doctor's regale, and the nature of a society : for if every body is to govern, where shall we find people bound to obey ?

But, in the next place, the doctor is mistaken in his matter of fact: for, at first, our bishops were not nominated and appointed by our Christian kings. For at the first conversion of the Saxons, Augustine, archbishop of Canterbury, appointed Laurentius for his successor. And thus the person was nominated by the ecclesiastical, and not by the secular power. Thus Theodore, archbishop of Canterbury, offered to settle that see upon bishop Wilfrid after his death. The same may be collected from Bede's epistle to archbishop Egbert, where he recommends the erecting several new sees within the diocese of York. For this purpose, he suggests the expedient of a synod to form the project, and adjust the measures. But of this more afterwards.

Bede, lib. 2.
cap. 4.

Eddius,
cap. 42.

Epist. Bede
ad Egbert.
Antist.

Dr. Kennet's Third
Letter,
p. 12.

The doctor ventures to say, that "it is nonsense to assert that bishops deprived by a lay-authority, had still a right to the sees taken from them: and that nothing like this appears in the British, Saxon, Danish, and first Norman times." Now to make this out, the doctor should have produced some instances of bishops deprived by a lay-power, within the period mentioned. But notwithstanding his insinuation, nothing of this kind is attempted by him: for the sake of the doctor's understanding, I am willing to suppose, that he knows that neither the British, Saxon, or Danish reigns, will afford him so much as a single precedent. And as for the first Norman times, even here he will find no relief.

To begin with William the Conqueror. Though this prince, it may be, strained his prerogative too much upon the Church in some cases, yet he never carried the point so far, as to depose any bishop upon the strength of the regale. These matters, as far as it appears, were always left to the management of ecclesiastics. Thus Stigand, archbishop of Canterbury, Agelrick bishop of Selcey, and Agelmar of Helmam, were all deprived at the synods of Winchester and Windsor.

Hoveden.
Annal.
fol. 260.
Florent.
Wigorn. ad
an. 1070.

Malms. De
Gest. Pontif.
fol. 160.

And when Wulstan, bishop of Worcester, had like to have met with the same fate, upon pretence of insufficiency, the charge was brought in by Lanfranc, archbishop of Canterbury, and managed before the rest of the bishops, at the council of Pedrede.

And in the succeeding reigns, though the archbishops Anselm and Becket were for some time as good as banished, by

the kings Henry I. and II. yet neither of these princes pretended to deprive them of their sees, or to put any others in their place.

The doctor cites a public remonstrance to prove the right of filling sees and churches belongs to those who endowed and built them.

But, with submission, this is a plain mistake ; as I have elsewhere shown at large.

The doctor represents the " prelates and clergy as mercenary vassals to the pope : that they were in a concert to betray the Church of England to the Church of Rome, and all retained on his holiness's side.

But sir Edward Coke, who is never guilty of partial favour to the clergy, gives them a much fairer character. This learned lawyer upon the statute of Merton observes, that both before and after the reign of king Henry III., " many of the judges, and great officers of the realm, such as lord chancellor, treasurer, &c. were of the clergy." After this, he gives them the commendation of a general integrity : " that they were not overborne by any partialities to the court of Rome : that they were true to their office, and the constitution : that they constantly maintained the laws of England, so as no encroachment or breach was made upon them by any foreign power."

And in this very reign, where the doctor is concerned, Courtney, archbishop of Canterbury, protests in parliament against the pope's encroachments : his protestation stands at length in my Church History. Now from this declaration of the archbishop, it is evident he was no vassal to the court of Rome : he did not assert the pope's supremacy so far as to weaken his allegiance, or make him an ill subject.

And now, after some introductive dispute, we are gotten to Merks, bishop of Carlisle. And here the doctor pretends to " wonder at the grave confidence of Dr. Brady and Mr. Collier, who bring in this speech at large," &c.

Let us then examine this matter. The doctor, to disprove bishop Merks making any speech, observes that Mr. Hall, who died about 150 years after the speaking, is the first who gives notice of any such speech.

He argues farther, and says, " that had any of the spiritual lords made a dissenting speech, it would have been signified in

Dr. Kennet's Third Letter, p. 18. Collier's Eccles. Hist. vol. 1. p. 547, 548.

Dr. Kennet's Third Letter, p. 18. 22.

Coke's Institutes, part 2. fol. 98 and 265. Vol. 1. p. 594. Rot. Parl. 16 Rich. 2. n. 20. Cotton's Abridg. fol. 348.

Dr. Kennet's Third Letter, p. 51.

4.

Id. p. 46.

Id. p. 49. the roll itself; or at least the writers of that time would have been full of it."

The first part of this argument he is so kind as to confute himself: for he rightly observes, "that the names of the lords spiritual, who assented to the confining king Richard, are only upon the parliament roll: and therefore that those who dissented could not be entered amongst the other names."

Id. p. 45.
See Cotton's
Abridg.
fol. 391.

Dr. Kennet's Third
Letter,
p. 45.

To come to the last reserve of his reasoning; "Walsingham, who lived at that time, and relates the proceedings of this very parliament with great exactness, drops not one word of bishop Merks' speaking or appearing:" but here the doctor vouches too far for Walsingham's exactness. For that this historian omits a great many material things done in this parliament is evident, by comparing his narrative with Cotton's Abridgment of the Rolls. Besides, the reason why this speech is unmentioned, may probably be the danger, or at least the unacceptableness of such a story, during the three successive reigns of the Lancastrian family, and that of Henry VII. soon after. For as soon as the two contending branches were united, and the house of York settled upon the throne, that is, when it was safe to report the speech, we find it mentioned by Hall. And though this historian, as the doctor hints, might die about 150 years after the speaking, yet he lived, and was grown up to capacity, many years before this period: neither can Hall be supposed to falsify this story, and invent this speech as an incense of flattery to king Henry VIII.; for this prince was descended from the house of Lancaster by his father, and therefore must be no less concerned for the honour of his family, than for the other of York. And to dismiss this matter, the doctor falls into a double mistake: for Hall does not dedicate his book to Henry VIII. but to Henry VI. neither is there the least flattery in the address. And here the doctor may take notice, that Hall declares in his dedication, that through the seven succeeding reigns after king Richard II. all the English historians had been guilty of great omissions: and though he makes somewhat of an exception for Fabian, and another anonymous writer, yet even these, he says, "shot far wide from the butt of a history." But, as the doctor remarks, "Hall pretends to no manuscript copy for Merks' speech." (Dr. Kennet, *ibid.*) No, it is not his custom to quote any authorities, either manu-

Id. p. 46.

script or printed. But then he takes care to vouch his sincerity and good faith. He tells the king, he did not make or invent his history; but compiled it out of divers writers, English and foreign.

To proceed: the doctor infers, from my inserting the speech at large, that I would have the reader take it for the genuine oratory of this prelate. But this is concluding too fast; what have I done more than referred to sir John Hayward's authority? And if, as the doctor says, Grafton refers honestly to

Dr. Kennet's Third Letter, p. 51.

Hall's testimony upon this occasion, why is it not as honest for me to rest the speech upon the credit of Sir John Hayward? That Merks did make a speech in the parliament house, and was arrested and imprisoned for it, is owned by Hall, Grafton, Hollingshed, Coke, &c. That every sentence of this speech was delivered by Merks, is more than I affirmed. That Hayward might beat out the matter into length, enlarge upon the circumstances, and put the argument into a better dress, is not improbable: but what is this to the main business? As long as there is evidence for the bishop's making a speech against the deposing king Richard, and setting Henry in his place, this is sufficient for inserting the speech mentioned by Hayward upon this subject. And if this historian mended the style, or dilated upon the reasoning, what necessity was there for me to dissect the speech, and run a criticism upon it? Would not this have been somewhat of a tedious digression, and foreign to the work in hand? Sir Edward Coke takes Merks' speech for unquestionable history, and gives the heads of it, which are these. "At this time," says sir Edward, "spake that worthy prelate Merks, bishop of Carlisle, and said, that they ought not to proceed to any judgment against king Richard for four causes.

"First, That the lords had no power to give judgment upon him that was their superior, and the Lord's anointed. Secondly, That they obeyed him for their sovereign lord and king twenty-two years or more. Thirdly, if they had power to give judgment against him, they ought in justice to call him to his answer; for that, said he, is granted to the cruellest murderer, or arrantest thief, in ordinary courts of justice. Fourthly, That the duke of Lancaster had done more trespass to king Richard, and his realm, than king Richard had done to him, or them, &c.

"It is true," continues this learned gentleman, "that the

Coke's Institutes, .
part 2.
fol. 635.
636. Edit.
1642.

Dr. Kennet's Third
Letter,
p. 53.

parliament roll omits this speech of the bishop."——But then he takes notice, "that it seems this stout and resolute speech of the worthy bishop wrought some effect: for this speech he was arrested by the earl marshal, and committed to the custody of the abbot of St. Alban's." Why the bishop's speech was not entered upon the parliamentary roll the doctor has given a good reason already. What has he to say, then, to sir Edward Coke's testimony? Why he grants there is some modesty and truth in this account. And thus, after some shuffling and chicane, he comes in vouchee for the substance of bishop Merks' speech.

We are now come forward to the bishop's trial. He was brought, as the doctor observes, before the king's justices, and charged with an indictment of high treason. And here the bishop pleads to the jurisdiction of the court; and insists on the exemption of his character. This plea being over-ruled, he makes a protest for the saving ecclesiastical liberty, and the privilege of a bishop. That the privilege of a bishop, though the doctor would not have it so, means the privilege of a peer, and implies more than *libertas ecclesiastica*, is very probable, because the bishops, in the foregoing reigns, insisted on their peerage, and had it allowed, as shall be farther observed afterwards.

However, this gentleman says, "It is a strange mistake in Dr. Stillingfleet, to suppose that the English bishops, as lords spiritual, had an equal right with the lords temporal to be tried by their parliamentary peers only. That he asserts the case of bishop Merks the only precedent that proves that a bishop, before the time of Henry VIII., did put himself upon a common jury."

As for the most learned Dr. Stillingfleet's Grand Question, it will stand the strongest attack. And, besides, self-defence is only my business. And, therefore, had not my Church History brought this subject upon the board, and occasioned some remarks, I should have passed over this part of the doctor's letter. But since the argument has engaged me, I must acquaint him, that he sets out somewhat oddly against bishop Stillingfleet. He affirms that "bishop Merks' case was not the only precedent of a bishop putting himself upon a common jury; for no man could be tried by such a jury if he did not put himself upon it."

But should not the doctor consider, that when a man is tried before the king's justices, there must be a jury in court before judgment can be given? And if any man, indicted for treason, refuses to plead, and puts himself upon his country, his standing mute shall bring him under all the forfeitures for that crime. And if he stands dumb upon an appeal of murder, he shall be attainted of the murder, and forfeit life, &c. Thus, though there is no pleading, a jury is necessary to qualify the bench to give sentence upon the malefactor. And whether the prisoner puts himself upon his country or not, the trial will go on; and it is the jury's being there which brings him to his doom.

The doctor, to pursue his blow against the lords spiritual, alleges that "Adam de Orlton, bishop of Hereford, charged with treason in parliament, was tried out of parliament by a lawful inquest."

In answer to this, I shall only observe, that this bishop was prosecuted before the peers: that he refused to take his trial in the house of lords: that he insisted upon the privilege of the canons: that the archbishops of Canterbury, York, and Dublin came with their crosses erected, and took him from the King's-bench bar without his answering to the indictment: that the king, provoked with this extraordinary freedom, commanded the jury to bring in their verdict, though the bishop was not in court.

"This Adam de Orlton," as a learned antiquary observes, "was the first of any bishops in England who was brought to a trial of this kind in the temporal courts."

The doctor offers at another precedent in Stephen, bishop of London. But here Cotton's Abridgment says nothing of any complaint made against this prelate in parliament for treasonable words, nor of his being referred for his trial to the king's council. This Abridgment, which takes notice of many things of less concern, only mentions that William archbishop of York, Stephen bishop of London, &c., impeached for the delivery of Edward II., should be acquitted, and restored to all their lands and goods.

Farther, the doctor seems to fail in his authority. He cites Term. Pasch. 4 Edw. III.; but having examined the Year-book for this year, I find nothing about this matter.

Lastly, the doctor's instance confutes his argument. He

Id. p. 73.

Coke's Institut. pt. 3. cap. 1. fol. 14.

Doctor and Student, cap. 41.

Dr. Kennet's Third Letter, p. 73.

Rymer, Conventio- nes Acta Publica, tom. 4. p. 47.

Walsingham. Hist. Angl. p. 98, 99.

Antiquit. Britan. in Walter Reynolds, p. 215.

Dr. Kennet's Third Letter, p. 74.

Cotton's Abridgment, 4 Edw. 3.

Dr. Ken-
net, p. 74.

Coke's In-
stit. pt. 3.
fol. 14.

Coke's In-
stit. pt. 3.
fol. 14. and
36. pt. 2.
fol. 49.

See Collier's
Eccles. Hist.
vol. 1.
p. 557.

Ibid.

says, "This Stephen was complained of in parliament for treasonable words; and then referred to the King's Bench." But here he should have considered that 25 Edw. III. cap. 2., though posterior to this bishop's trial, was declaratory of the ancient law. But sir Edward Coke observes, that "the wisdom of the makers of this law would not make words only to be treason. For bare words may make a heretic, but not a traitor, without an overt act." But since, as the doctor puts the case, this bishop was tried only for treasonable words, it is no wonder to find him referred to the King's Bench. For "words, without an overt deed, are but high misprision;" that is, high misdemeanors. Now, in cases below treason and felony, a peer is to be tried by a common jury.

Lylde, or L'Isle, bishop of Ely, is the doctor's next instance. This bishop, in the reign of Edward III., was prosecuted for being accessory to a murder. He was summoned to appear at the King's Bench bar, and obeyed the summons; the archbishop of Canterbury and the bishop of Rochester going along with him: here he denied the charge, and offered to put himself upon a trial by his peers. But the parliament not sitting, and the bishop lying under the king's discountenance, the motion was overruled, and a jury of commoners empannelled to try the matter. The men brought the bishop in guilty of receiving and harbouring the malefactor. The bishop complained, both of the injustice of the verdict and of his being denied the privilege of being tried by his peers. And now, to restore his affairs, he desires to be admitted to canonical purgation.

From hence I observe, 1st, that Lylde's insisting so strongly upon being tried by his peers, is a good argument against the doctor, for had there been no law or precedent for such a privilege, the motion would have been ridiculous. If a commoner should call for a trial by the peers, would it not be reckoned a very extravagant demand? And if it did him any service, it might be by sending him to Bedlam.

2dly, I observe the bishop seems not to have had the benefit of the constitution allowed him in another respect. For being prosecuted only as an accessory to murder, the temporal courts had no authority to attain him had he been only a priest.

For though in cases of high-treason a clerk was not ex-

empted from prosecution in the king's courts, yet when the indictment ran no higher than felony, he might plead his clerkship. And this being proved, the trial could not go on : but the clerk was to be delivered to the ordinary to make his canonical purgation.

Coke's Instit. pt. 2. fol. 633.
Bracton. lib. 3. fol. 123.
Mirror, cap. 3.
Coke, *ibid.* 6.

If this was law, and sir Edward Coke cites it as such, it is plain the bench was unfriendly, and the laws were over-ruled against the bishop, which is enough to disable the precedent.

Farther, we are to observe, that after the jury had brought in their verdict against the bishop, he was suffered to go at large : and neither imprisoned by the king's justices, nor put into the hands of the archbishop. The reason of this gentle usage seems to be this : that the court, or the king, came to a recollection, that they knew the bishop had wrong done him in being refused a trial by his peers, pursuant to Magna Charta, and the precedents of former times.

9 Hen. 3. cap. 29.
See Collier's Eccles. Hist. vol. 1. p. 556.

The doctor is now advanced to the trial of Scroop, archbishop of York. Upon this occasion I acquainted the reader, "that the king coming down to Bishop's-Thorp, near York, ordered sir William Gascoign, chief justice of England, to try the archbishop for high treason. But that this judge refused to act upon the bench : and that sir William Fulthorp was then made a judge for this purpose." To this the doctor pretends he never met with this refusal of the chief justice Gascoign's, excepting in Clement Maidstone. Granting this,—supposing nobody else had met with it neither,—is the testimony of a contemporary author to be rejected only because he stands single ! Is nothing to pass for matter of fact without a double or treble authority ? How many uncontested narratives must we lose at these excesses of scruple ? But Maidstone's relation is a legend. Why so ? Because he makes the archbishop a martyr, and reports miracles wrought in his vindication. But supposing Maidstone was mistaken in styling Scroop a martyr, might he not be right in reporting the circumstances of his trial ? Though a man's judgment may mislead him, what reason is there to disbelieve those things which lie open to the evidence of sense ? And then what consequence is there to argue from one to the other ? And as for the objection of miracles, Maidstone does not stand singular in this report. Walsingham, whom the doctor does not reckon a legendary historian, informs us, that it was believed miracles were

Eccles. Hist. vol. 1. p. 623.
Dr. Kennet's Third Letter, p. 78.

Ibid.

Angl. Sacr. pars 2. p. 369. et deinceps.

Walsingham, Hypodigm.
Neustr.
p. 168.

Dr. Kennet, p. 79.

wrought at Scroop's tomb, and that the people used to meet there out of a religious respect, till they were forbidden by the king's officers. And that Maidstone was a superstitious worshipper of the archbishop's bones, is more than appears, and only the doctor's compliment.

And now, till he is better reinforced, he is in no condition to say I argued upon mistaken facts. However, let us see how he endeavours to disprove what was offered.

I argued, that "sir William Fulthorp's sitting upon the archbishop, is no argument against the bishops' right of being tried by their peers. For, first, Mowbray, earl marshal, and the archbishop, were tried at the same time, and in the same manner, as far as it appears."

Eccles. Hist.
vol. 1.
p. 623.

"I grant," says the doctor, "Mowbray, called earl marshal, might be tried in the same manner with archbishop Scroop, for he was but a desperate youth of nineteen years; and, as sir William Dugdale says expressly, never had the title of duke, nor any other than earl marshal."

Dugdale's
Baronage,
vol. 1.
p. 130.
Dr. Kennet's Third
Letter,
p. 79.

To this I answer, that Thomas, duke of Norfolk, who challenged Henry, duke of Hereford, (afterwards Henry IV.) was only banished, and therefore his peerage must descend upon his son Thomas. The reason why he was styled only earl marshal might possibly be because of the discountenance he lay under at court, or because his father's patent for duke might run only for life: for if that title was settled upon him and his heirs, it could not have been denied his son without great injustice. For his father was never charged with felony or treason; nor had any trial, or attainder, passed upon him, to work corruption of blood.

Secondly, The doctor from Dugdale grants him styled earl marshal. This is one of the noblest offices of the kingdom, bestowed on peers of the first rank, and now hereditary to the house of Norfolk. And I challenge the doctor to give an instance of any commoners ever having the addition, or business of earl marshal. From whence I infer, that since Thomas duke of Norfolk forfeited no honour, and was dead several years when his son was tried: since this Thomas Mowbray, his heir, was styled earl marshal, he must be allowed an English nobleman: and since Henry IV. denied him the privilege of his quality, and had him tried by a common jury, it is no wonder to find archbishop Scroop under the same injustice.

Stow's
Annals.

I observed, secondly, "That we need not wonder to find the archbishop tried by commoners, since the denying the lords of parliament the privilege of being tried by their peers, gave an occasion to the late rising, and was reckoned one of the grievances in this reign."

"This reasoning," says the doctor, "won't bear at all. For in this whole reign of Henry IV. there was no denying the lords of parliament the privilege of being tried by their peers."

But were not the earls of Salisbury, Huntingdon, and Gloucester, beheaded without trial by their peers? Yes, the doctor knew this; but then he has a salvo for it. These arbitrary stretches were not worth the mentioning. This was nothing but the indignation of the common people, who would not sometimes wait for the formality of trials.

Is the indignation, then, of the common people so considerable an excuse for superseding a legal prosecution? Is not this next to authorising the mob for the shortest way; and removing the seat of justice from Westminster-hall to the Mug-houses? Is the lord high steward's commission, and a court of the peers of England; is examining the truth of the fact, and giving the prisoner leave to make his defence;—is all this, I say, nothing but form and ceremony, used only for fashion and parade, to make a fine show, and dispatch a man of quality with a little respect? But the doctor at last seems sensible he had gone too far, and comes towards recollection. He is so kind as to say, "even then the defect of justice was supplied by act of parliament." He means an attainder passed against the lords above-mentioned after they were dead. Thus, to hang a man first, and try him afterwards, is the doctor's way of supplying the defects of justice! Yes, it is no matter for the customary methods of law, for confronting the witnesses, and hearing what a man can plead for saving his life!

But we are to inquire farther what act it is the doctor refers to. It must be an attainder, 2 Hen. IV. And here we are to observe that this bill, if it went in that form, was passed only by the king and lords, the commons having no share it. Thus the commons are struck out of the legislature, for the lords and the king, it seems, can make a statute without them! And is not the doctor a great champion for the privileges of parliament, and the English constitution at this rate! If he gives up his authority, and replies, this proceed-

Collier's
Eccles. Hist.
vol. 1.
p. 623, 624.

Dr. Kennet's Third
Letter,
p. 79.
Walsingham, Hol-
lingshead, Stow.

Dr. Kennet's Third
Letter,
p. 79, 80.

Ibid.

7.

Cotton's
Abridg-
ment,
p. 407.

ing was only a judgment given by the king and lords, and no statute; I must rejoin, that this recanting won't serve his turn; for then he has no act of parliament to supply the defects of justice, and therefore let him choose which side he pleases.

In his next motion he affirms, that "the denying the lords the privilege of being tried by their peers was none of the grievances in the archbishop's Declaration, nor assigned for any reason for the rising in the North."

Dr. Kennet's Third Letter, p. 80.

To bring this matter to the test, I shall transcribe so much of Scroop's Declaration as we are concerned in. It is digested under seven heads for justifying their recourse to arms: the third article runs thus; "Quod domini regni et magnates judicarentur per pares suos cum deliberatione justa aliorum dominorum illis æqualium." In English, "That the barons of the kingdom might have the privilege of their condition, and be tried by their peers."

Angl. Sacr. pars 2. p. 369.

Here it is possible the doctor will fall upon Clement Maidstone, and cavil at his authority. But since I have made this author *rectus in curia*, he has no reason to except to his evidence: however Maidstone's testimony, if need be, may be fortified by another historian. For the articles in Archbishop Scroop's Declaration are inserted in the Continuation of Peter Ickham's History, carried on to the year 1468, and now lodged in the Lambeth Library.

Wharton. Prefat. Angl. Sacr. pars 2. p. 19. Dr. Kennet's Third Letter, p. 81.

And now, whether the doctor had any reason for triumph, coarse language, and sanguinary reflection, is easy to discover.

The doctor carries on his attack against the bishops' peerage. Dr. Stillingfleet produced a precedent of a temporal peer's being tried for treason by a common jury. His instance is in Thomas lord Berkley. "No," says the doctor, "this Berkley was but a commoner. How so? why he is styled sir Thomas Berkley, knight."

Dr. Kennet, p. 82.

But, under favour, chevalier, or knight, is the customary addition for any nobleman, not above the degree of a baron: and that this Berkley was a baron I have elsewhere fully proved.

Eccles. Hist. vol. 1. p. 545.

The precedent of Fisher, in the reign of Henry VIII., does not come up to his purpose. For Fisher is supposed deprived of his see: the indictment runs, "Johannes Fisher nuper

episcopus Roffensis," i. e. the late bishop of Rochester. And if he was not allowed bishop of Rochester, he had no tenure by barony, was no lord bishop, and then it is no wonder he was thrown down to a common jury.

Cotton.
Library,
Cleop.
fol. 178.

That bishops have been tried by their peers is plain, from the cases of the archbishops of Canterbury, Stratford, and Arundel. The instances are too long to transcribe, and therefore I shall refer the reader to my Church History. In these two volumes the entireness of the bishops' peerage is proved at large, from the two cases now mentioned, from archbishop Courtney's Protestation, from parliament rolls, and printed statutes, and from the condition of the bishops' tenure: and here likewise the objections are answered.

Eccles. Hist.
vol. 1.
p. 544, 545.
601. vol. 2.
p. 83. 263.
483. & 800.
Eccles. Hist.
vol. 1.
p. 588.

But, before this subject is parted with, something farther must be offered to the doctor. He grants the archbishops Stratford and Arundel were tried for treason by the peers, but will not allow it a proof of their peerage? Why so? Because they were tried at the impeachment of the commons. In answer to this, I must first put the doctor in mind, that in the 4th Edw. III. n. 6. it was enacted, "that albeit the lords and peers of the realm, as judges of the parliament, had taken upon them to give judgment of such as were no peers of the realm; that hereafter no peers should be driven to give judgment on any others than on their peers."

Now that this act related to cases of felony and treason, appears by the instances of Bereford and Maltravers, knights, and four other commoners, who had judgment of death given against them by the lords this parliament; and all this before the making this statute. And immediately after the recital of these judgments, the making this act is mentioned; i. e. "that none but peers should be tried by the peers," that is, for felony or treason. Now since the archbishops Stratford and Arundel were tried for treason by the lords since the making this act, it follows that they must be allowed peers.

Cotton's
Abridg-
ment, p. 7.

But the doctor objects that 4th Edw. III. n. 6. is rather an order of the house of lords, than a law.

Antiquit.
Brit. in
Stratford.
Dr. Kennet,
p. 87.

Granting this; have we not reason to believe the lords would abide by their order, and not break through the rule they had settled? And if so, the doctor will get nothing by lessening the authority. But the record says, it was enacted, and why then is it not a statute? "Because," says the doctor, "it is

Ibid. not entered in our statute books." But does not this gentleman know that several statutes are unprinted, that it is the manuscript record, and not the press, which makes the authority; and that the Statute-book is law no farther than it agrees with the parliament rolls.

Id. p. 86. The doctor urges, "that Stratford and Arundel were impeached by the commons, and therefore their being tried by the lords is no proof of their peerage." One would almost imagine the doctor thought no temporal lord was ever tried in this manner. Were then the earl of Strafford, and the lord Stafford, no peers, because an impeachment of treason was brought by the commons into the house of lords against them? But all subjects upon impeachment in parliament, shall be tried by the peers: in cases of felony and treason, I say, no: and for my contradiction to his assertion, I appeal to Magna Charta, to Coke upon that statute, and to constant practice.

Institut.
pt. 2. fol. 48.

Cotton's
Abridg-
ment.
15 Edw. 3.
n. 6.
Ibid.

We may observe farther, that before archbishop Stratford's trial, it was provided that the nobles of the land should not be put to answer but in open parliament by their peers. And yet, after this, archbishop Stratford desired he might be arraigned in open parliament before his peers, which was granted. Now that the bishops are part of the nobles mentioned in this act, I shall prove farther by and by.

Dr. Ken-
net, p. 90.

However, the doctor makes it very strange, that neither Merks, Scroop, Fisher, nor any other bishop, should afterwards insist upon this act.

Angl. Sacr.
para 18.
p. 658.

To this it may be returned, that L'Isle, bishop of Ely, claimed the privilege of being tried by his peers. And that one of the reasons of archbishop Scroop's rising was, that the magnates might be tried by their peers. Now that the bishops are magnates cannot be denied: for every body allows they may bring an action upon the statute of *Scandalum Magnatum*, no less than the temporal lords. And as for Merks and Fisher, it is not improbable but that they might be of Anselm's, Becket's, and Adam de Orleton's opinion, that bishops ought not to be tried in temporal courts: for this privilege they had not only the authority of the canons, but the concessions of several princes. And if this was their opinion, it is no wonder to find them waive insisting on their peerage. For their ecclesiastical exemption must have suffered in a trial by their peers, no less than by a common jury. And since they could not

Selden's
Titles of
Honour.

Collier's
Eccles. Hist.
vol. 1.
p. 372, 373,
374.

preserve their canonical privileges, it is likely they might be indifferent which way they lost it.

The doctor makes another effort against the bishops' peerage ; we must therefore try to break this last reserve.

He brings the opinion of Stamford, Coke, and Selden, " that Dr. Kennet, p. 90.

bishops shall not be tried by noblemen."

But, first, he must drop Selden, for this learned person has omitted this passage in the last and corrected edition of his Titles of Honour.

Secondly, The remaining authorities go upon the supposition that bishops are not noblemen ; but this contradicts the constitution. For two acts of parliament expressly distinguish the two uppermost estates into the spiritual and temporal nobility. The words are, "as well all the nobles of your realm, 25 Hen. 8. cap. 22. spiritual and temporal." And when some lawyers say one 26 Hen. 8. cap. 2. thing, and the laws plainly another, it is easy to decide the question : when these sages fall thus directly foul upon the Statute-book, we may safely infer, they either overlooked the case, or were governed by disaffection. To this I may add,

That sir Edward Coke must change his side, and take leave of the doctor. For by 2, 3 Edw. VI. it is enacted, " That all and singular lords of parliament, for the third offence, shall be tried by their peers."

The 5th Eliz. cap. 11. runs exactly in the same language. Since therefore bishops, as sir Edward Coke makes no scruple to grant, are lords of parliament ; they are evidently by these statutes to be tried by their peers.

Coke's Institut. pt. 1. fol. 97.

The doctor, it is possible, might not be apprised of these matters, and therefore presumes that in the house of lords there will always be a distinction between the noble peer and the reverend prelate.

Dr. Kennet, p. 89.

Has the doctor, then, never seen an order of the upper house, where the style runs, "The Right Honourable the Lords Spiritual and Temporal," without any such distinction as he "presumes" on ?

And, for more overbalance, I shall give the doctor some modern authority. It is the Trial of the Seven Bishops. At this solemn appearance, where twenty-nine of the lords temporal were present, the chief justice, sir Robert Wright, calls the seven bishops "noble persons," "noble lords," and "great peers of the realm." Mr. Justice Powell calls them "noble The Trial and Proceedings, &c. June 29, 1688. Trial, edit. 1716, p. 6. 363, 365.

and reverend lords." The attorney-general, sir Thomas Powis, allows the bishops peers, and styles them "noble lords." The solicitor-general, sir William Williams, mentions them in the quality of "noble lords;" and Mr. Sergeant Pemberton salutes them with the distinction of "noble persons." Sir Robert Sawyer calls them "reverend and noble lords," and pleads them "peers." Mr. Finch maintains them "peers and lords of parliament," which is allowed by the court; and Mr. Pollexfen avers the "bishops' case is the case of all the peerage of England." I could produce more from the Trial to this purpose; but this may be enough to satisfy the reader.

We are come to a dispute about the time when bishop Merks died, which signifies but little. Here the doctor confesses, and confesses the truth, that Hall, Grafton, Hollingshed, Hayward, and Godwin, are all on my side for the chronology: and these, one would think, were authorities enough in all conscience. And, to fortify farther, the doctor cites the York Register, where the see of Carlisle is said to be void "per mortem Thomæ episcopi," which record bears date Jan. 3, 1399. And here the doctor translates "per mortem" by the "civil death," quite contrary to the received language of such instruments. However, as the doctor reports, I directed the reader, for the time of Merks' death, to Walsingham's History, "wherein there is nothing like it." But here the reader may please to take notice, that my citation of Walsingham's History relates to the bishop's being concerned, with other lords, in the attempt against Henry IV., though the page is mistaken, and the marginal direction misplaced in the print. The doctor, it is true, brings some counter-testimonies to prove the bishop lived several years beyond the period mentioned by Hall and the rest; but, being little concerned about the issue of this business, I shall trouble the reader no farther about it.

Though other princes have been for some time out of the doctor's favour, king Henry IV. stands fair with him. He salutes his memory with great regard, calls him a "heroical prince," and a "deliverer." I shall not contest this prince's character with him, though Fox and Dr. Burnet paint him in a very different figure: let him pass for a hero and under all the fine qualities the doctor represents him. To discourse a little upon this supposition:—and here, I must say, that, had

Dr. Kennet's Third Letter, p. 101.

Id. p. 100.
Collier's Eccles. Hist. vol. 1. p. 613.

See the Doctor's Preface to Pliny's Panegyric. Dr. Kennet's Third Letter, p. 110. 111. Fox's Martyrol. Dr. Burnet's Hist. Reform. vol. 1. p. 25.

the doctor's principles prevailed, this heroism had all been spoiled, and the deliverance strangled in the birth. The doctor, in the Preface to his translation of Pliny's Panegyric, blames the emperor Trajan for his over-complimental sentence, when he gave the captain of the guards a sword, "Take this," says his majesty: "and if I govern well, draw it for me; but, if ill, against me." This excess of condescension, the doctor makes "little less than a sneaking insinuation; that it tastes of a low soul, unhinges all government, and makes obedience and submission precarious; that, if this sentence should be interpreted for serious instruction and practicable advice, nothing more evacuates all the ties of allegiance; for, if subjects must in truth no longer submit than they confess themselves unoppressed and honestly dealt with,—for they themselves are to be sole judges, or the principle has no consequence,—this is so rank a tenet, that treason, tumult, anarchy, confusion, and all the licentious mischiefs of earth and hell, would be its damning inference."

Dr. Kennet's Preface to Pliny's Panegyric, p. 12.

Id. p. 15.

Now, I would ask the doctor, whether the English did not act upon a counter-principle in the reign of king Richard II.? Had they not believed themselves judges of his mal-administration, with what justice could they have had recourse to an army, forced him to resign, and set his crown upon the duke of Lancaster's head? But let them have been never so much at a loss, the doctor will have it that they ought to have been passive, sat still, and taken their fortune: "for it is the prime fundamental prerogative of princes, not to be accountable to any but God." And, in another discourse,—for he sticks in the same mire still,—the doctor tells us, that the "laws of the land are the measures of our obedience." This last sentence, had it been preached and minded, would have been uncomfortable news to the forces raised against king Richard: for, by an act made in his grandfather's reign, "levying war against the king is made treason." What a condition had the duke of Lancaster and his party been in, had they been governed by the doctor's strait-laced notions! Which way could they have gotten over their distress, and relieved themselves against their monarch? At this rate, their motions must have been cramped and the enterprise impracticable. They must have languished under the doctor's measures, and been overlaid with the consti-

Id. p. 18.

Dr. Kennet's Sermon before the House of Commons, Jan. 30, 1705. p. 25. 25 Eliz. 3. cap. 2.

tution. Had this gentlemen's doctrine been current, what a blemish would have been thrown upon the duke of Lancaster's attempt, and how would his memory have been blackened for so glorious a merit ! And here I desire the reader to take notice, that I do not give him my sentiment whether the doctor's principles will hold or not : no, I pronounce nothing upon the question : my observation is only to show the doctor has undone his hero, and blasted the deliverance.

The doctor proceeds in his usual strain of courtesy and truth, and says, "their ecclesiastical historian did not speak such harsh things of Henry IV. [as the authors of the Hereditary Right, &c.]; because he forgave him a little for his zeal against heretics,"—that is, for his passing a bill to burn them.

Dr. Kennet's Third Letter, p. 114.
2 Hen. 4. cap. 15.

I have already disproved this barbarous calumny, and, for farther satisfaction, shall transcribe somewhat more of what I have delivered upon this subject under this prince's reign.

Eccles. Hist. vol. 1. p. 617.

"Misbelief in religion was no forfeiture of life by the doctrine of the primitive Christians : it was their persuasion, to 'let the tares alone till the harvest came.' Thus, St. Martin and St. Ambrose refused to communicate with those who moved for the execution of the heretic Priscillian. This roasting men to orthodoxy, and enlightening them with fire and faggot, was a discipline not understood in these early ages. Wrong opinions in religion should be gently dealt with, because people oftentimes believe themselves in the right : they act to the best of their knowledge ; their will is good, though their understanding is misled. The case is quite otherwise in murder and theft : for here the malefactors are conscious of their own misbehaviour. To burn a man only because he will not renounce an important truth, (for such he thinks his error,) because he is afraid of offending God and destroying his own soul, is very hard measure."

Ibid.

If the reader has a mind to see more to the same effect, the page in the margin will lead him to it.

The doctor blames Henry IV. for the burning statute, but then observes, that another motive for my passing over his reign so favourably, "was his rejecting the parliament's offer of the Church-lands to the crown." This comes next to the burning of heretics, and without any mark of difference ; by

Dr. Kennet's Third Letter, p. 114.

consequence, it must pass for another blemish of this reign,—that is, king Henry was to blame for not breaking his coronation-oath, and incurring the guilt of sacrilege.

My third reason for “forgiving king Henry a little,” as the doctor words it, is “for his devotion of vowing” to go to the *Ibid.* Holy Land.

By this turn of expression, one would be apt to imagine this prince had vowed a resolution of throwing up the government, retiring from the world, and going to Palestine in a pilgrim's equipage. But the misfortune is, I have said nothing of all this: my History only reports a martial enterprise, and that an army and fleet were prepared for the expedition; neither is the solemnity of a vow so much as hinted. Besides, I have made no remarks of censure or commendation upon the design, so that it is not possible for the doctor to know my opinion. However, he will drag me in for approving a “holy war,” and recovering the Christian dominions from the infidels. This he looks on as an unjustifiable attempt, as may be collected by his ranging it with religious cruelty and the burning of heretics. And yet, a little before, he tells us the king died in the midst of a great expedition. And thus, to get a blow at the ecclesiastical historian, he ventures running upon contradiction, and by overloading the musket, makes it recoil upon himself.

He says, “I commend Merks, bishop of Carlisle, for being *Ibid.* by no means pleased with the revolution.” This is plain misrecital: I only report matter of fact, without interposing my own thoughts, or making any reflection. And this the reader may see by consulting the places cited by the doctor.

10.

He objects, I excuse archbishop Scroop for being in arms against the king. This article of impeachment lies in the same latitude with the rest. There is nothing upon this head, but only a bare relation of what was done. Well! but is not the archbishop reported a person of a very unexceptionable life, and eminent for his learning. What of all that? I cited good authority for this character; neither is his enterprise made any part of it. As for Trevor and Lewis, bishops of St. Asaph and Bangor, who the doctor reports were deprived for rebellion, I have made no mention of the first, and therefore shall leave his memory with this author. As for Lewis, bishop of Bangor, I relate him translated, and, as the doctor confesses, had bishop Godwin for my authority. “But this

Eccles. Hist.
vol. 1.
p. 610. 613.
Dr. Kennet,
p. 114.

Eccles. Hist.
vol. 1.
p. 622. 623.
Dr. Kennet,
ibid.

account," continues the doctor, "is contrary to the words of the papal bull." How so? Why, "the record only absolves bishop Lewis from the bond wherewith he was tied to the Church of Bangor, without transferring him to any other see, or granting him any other title." Now, to be liberal for once, and take the doctor's citation upon content: though by the way, I think a man might almost as safely tell money in the dark. However, after all this allowance, the matter comes short of his point: for the purport of the bull being only to declare the see of Bangor vacant, what occasion was there for inserting the mention of a translation, or giving the bishop a new title? And supposing him not translated at the date of the bull, he might be afterwards for ought any thing the doctor has proved to the contrary. Farther, by archbishop Arundel's mandate to the guardian of the spiritualities of Bangor, cited by the doctor, it appears Lewis was never owned by his metropolitan for bishop of that see: for Richard Young is said to be the immediate predecessor to Nicholas Bennet, then promoted thither. Now, if Lewis in the opinion of the English Church, as the doctor represents it, was never bishop of Bangor, which way could he be deprived of a preferment which never belonged to him?

Dr. Kennet,
p. 133.

Id. p. 134.

Moral Essays under
Office of a
Chaplain;
printed A.D.
1697, and
since.
Eccles. Hist.
vol. 1.
p. 257, 258.
vol. 2. p. 92,
93. 610 to
617.

The doctor declaims intemperately against the Church's independency upon the State: but that the Church, in matters purely spiritual, is independent of the State, I have proved in a book published about twenty years ago. And, for farther evidence, the reader may please to consult my Church History, where it is likewise observed, that this independent privilege brings no danger to the State, weakens no civil securities, nor infers any invasion upon the crowns of princes. When the doctor offers at an answer to what I have written, it is likely I may talk farther with him: but until he brings something more than investive without argument, there is no need of a reply.

The doctor has the courage to assert, that "in the Saxon times we find no synods without the civil magistrate, no canons that had not passed the civil powers, no bishops without the appointment, and under the restraint of kings."

Dr. Kennet,
p. 153.

That synods were held during this period, without the civil magistrate, is evident from the council at Hereford: this synod was convened by Theodorus, archbishop of Canterbury,

and consisted only of the clergy. Amongst other canons about discipline, there was one passed for the convening a synod once a year, with the precise time and place assigned: and all this without the least mention of any authority or confirmation from the State. The latter synod at Cloveshoe is another instance against the doctor: it was held under archbishop Athelard with twelve of his comprovincials. And here king Offa is charged with injustice for presuming, as the Latin expresses it, "to split the province, and deprive the see of Canterbury of its ancient dignity and privileges. And the highest censures are denounced against a bishop or prince that should attempt the like encroachment for the future."

Florent.
Wigorn.
Matth.
West. ad
An. 673.
See Collier's
Eccles. Hist.
vol. 1.
p. 101.

To this we may add the Constitutions of Odo, archbishop of Canterbury, A. D. 948. They stand purely upon ecclesiastical authority. This may be collected, not only from the silence about any secular interposal, but from the air and contents of the second chapter. This Constitution puts princes in mind of their office, and conduct towards the bishops, and is couched in a style of great plainness and authority. It sets forth that "all kings, and secular great men, ought to treat their bishops with regard, and be governed by their directions; because the keys of the kingdom of Heaven, and the power of binding and loosing are delivered to them."

Spelman.
Concil.
vol. 1.
p. 317. 324.
A.D. 803.

Thus much may suffice for the Saxon times. And after the Norman conquest the Church continued in the same condition of liberty. In the reign of Henry I. a synod was convened at London, without either legatine or royal summons. And to trouble the reader no farther with particulars, nothing is more certain than this custom's continuance till 25 Hen. VIII. And that through this interval the convocation met frequently by the sole authority of the archbishop.

Id. vol. 1.
p. 416.

Farther, that the doctor misreports matter of fact, in affirming that through the Saxon reigns no bishops were made without the appoint of kings, has been shown already. His testimony from Ingulphus does him no manner of service. That historian reports that a great while before the reign of William the Conqueror, "nulla erat electio prælatorum mere libera et canonica, sed omnes dignitates tam episcoporum, quam abbatum, regis curia, pro sua complacentia conferebat." That is, "the election of the bishops and abbots, was not perfectly free, and according to the canons; but ecclesiastical

State of the
Church, &c.
p. 9, 10.
Collier's
Eccles. Hist.
vol. 2. p. 84.

Ingulph.
p. 309.

Dr. Kennet, p. 153. preferments were disposed of at the pleasure of the court."

Now, what is all this but a complaint of the neglect of the canons, and overstraining the regale? Of sitting hard upon the Church, and going off from primitive practice? And that this custom in England was not very ancient, is not only hinted by Ingulphus, but plainly affirmed by Malmesbury, who tells us, the clergy and monks used to choose their bishops and abbots under the Saxon government. And as for the investitures by delivering the pastoral staff and ring, it might mean no more than livery of seisin for the temporalities of the bishopric. The first English instance we have of it, is in Wulstan, bishop of Worcester, who lived but in the reign of Edward the Confessor. However, in regard the ceremony had somewhat of an ambiguous appearance, it was given up by king Henry I.

Having now gone through the doctor's charge, and no farther concerned in his letters, I shall take my leave of him. How just he is in his remarks, how true to the rights of the Church, and how fair a reporter he has shown himself, the reader must judge.

Ingulph.
p. 63. edit.
Gale.

Malmesbur.
de Gest.
Pontif.
fol. 157.

Dr. Kennet,
p. 11.

Radmer.
Hist. lib. 4.

p. 91.
Collier's
Eccles. Hist.
vol. 1.

p. 292. 300.
301. De
Marca de
Concord.
Sacerd. et
Imper.
lib. 8.
cap. 11. &
19.
March 25,
1717.

AN ANSWER

TO SOME

EXCEPTIONS IN BISHOP BURNET'S

THIRD PART OF THE

HISTORY OF THE REFORMATION, &c.

THESE papers being written before bishop Burnet's death, the reader is desired to take them as they were.

The learned author of the History of our English Reformation, has in his third part, lately published, made some animadversions on the second volume of my Ecclesiastical History. What he has offered upon this subject is so gentle and inoffensive in the proof, that at first I was unresolved about an answer: but considering he is pleased to question my integrity in no small instance, and charge me with unfair representation: that I sit hard on the memory of our reforming princes, and varnish the character of those of a different persuasion: since he has given the reader warning of my book, for fear it might infect his orthodoxy, and lead him into some dangerous mistakes: these things considered, I thought a few pages, by way of return, might not be unnecessary: I say a few pages, for as for any length of vindication, he has given no manner of occasion for it. 3.

This learned prelate offers four instances to show with what principle, spirit, and design I set out: and all these, by his insinuation, are much out of order. To examine these as

Bp. Burnet's Hist. Reform. pt. 3. Pref. p. 2 to 6.

Id. Pref. p. 3.

Id. Pref.
p. 3.
4.

they lie. Becket comes up first : and here I have asserted, that "though this archbishop's conduct in his dispute with king Henry II. was not altogether defensible, he was far, however, from being guilty of that gross mismanagement with which he is charged." The bishop's remark is this : "I will leave the judgment that must be passed upon this period to all who are in any sort acquainted with the history of that time." As much as to say, the relation is romantic, and clearly contrary to matter of fact. What I have advanced by way of mitigation for Becket, is taken from contemporary authors of the best authority ; from Hoveden and Newbrigen-sis, from Quadrilogus and Gervase of Canterbury. And does this reverend prelate produce any counter testimonies better than these ? No. Does he offer any disproof from any inconsistency in the account, from any high improbability in substance or circumstance ? Nothing of this neither. He affords no more than bare affirmation for the point. If we will not resign to implicit belief, wink against evidence, and take his word for the controversy, we must keep our old opinion, for here is no light let in to inform us farther.

Bp. Burnet's Charge,
p. 63.
A.D. 1714.

This learned prelate at his triennial visitation, after some other unsupported remarks, makes the softening Becket's behaviour one article. And yet he is so frank as to confess he never read my first volume ; although there is a reference of ten pages to this history in my second volume, to justify the softening objected, and that in the very place cited by this learned prelate. Now what incomprehensible justice is it to give sentence without hearing the cause ; to censure an author without reading him ; especially when he refers to evidence, and points directly to a defence ?

Bp. Burnet,
pt. 1. p. 243.

But this learned prelate had given a different account of this matter, and called in a very unfortunate *vouches*. His author is one William Thomas : this Thomas was a flaming rebel, advised the assassinating queen Mary, for which Wyat abhorred him, stabbed himself with a pen-knife in the Tower, and justified his treason at his execution. Now, whether a person of this temper and principles, who flattered the memory of Henry VIII., and wrote almost four hundred years after Becket's time ; whether, I say, the report of such a person as this ought to weigh down the authority of eight or nine historians who lived at the time of the transaction, had fair opportunities

Stow's
Annal.
p. 623, 624.
Hollingshed,
p. 1104.

of knowing the truth, and lay under no exceptionable character, I leave the reader to judge. But notwithstanding Becket had a discharge from the hardest imputations, his whole conduct does not pass without dislike.

To mention something of the dispute between king Henry II. and him : he is blamed for going upon insufficient grounds in the controversy. That possibly he overlooked the later constitutions in the Theodosian and Justinian Codes, or rested too much on the canon law : that the exemption of clerks from the civil courts was no right inseparable from their order, but only a privilege granted by the crown. And therefore since the parliament and Clarendon had revoked this concession, the archbishop ought not to have insisted on it. He is blamed for fluctuating and inconstancy, for engaging and retracting, and quitting the kingdom without the king's leave. He is farther censured for refusing to return to his see upon the most advantageous precedents, and the best terms enjoyed by any of his predecessors : and for breaking off the accommodation only for being denied the Kiss of Peace. His tenet, that the civil government received its authority from the Church, is marked as a false principle, and a grand mistake. And lastly, his excommunicating the archbishop of York for crowning the young king, and not waiving his right at so nice a juncture, is remarked as unseasonable stiffness. And now I hope it is pretty clear, that though I am willing to do justice to every body, I was not biassed with any partiality to archbishop Becket.

To proceed : This learned prelate complains of my having represented king Edward VI. under a character of disadvantage. That "he was tinctured with Erastian principles, and seems to have had no notion of sacrilege ; and that most of the hardships put upon the Church happened in the latter end of his reign, when his judgment was in the best condition." I grant all this is said ; and for the truth of the remark, besides other proof from history and records, I vouched this prince's Remains in the Cotton Library.

This learned prelate, being not prepared to disprove the narrative, applies to another expedient. He makes it a fault, that these severe reflections (as he calls them) are not corrected. This looks like impracticable advice : for which way can truth be corrected unless by delivering that which is false?

Ibid.

But I conclude immediately with his death, without adding a word of his good qualities. As to the bright part of this king's character, I had given it to a considerable length just before ; and to what purpose would it have been to have cloyed the reader with repetition ?

And here it may be farther considered, this prince was deep in his minority, not sixteen at his death ; and therefore all misfortune in his conduct and principles must fall upon those who formed his education and governed his person. Now, that those who swayed in the court, and sat at the helm, were not men of regularity, and staunch conscienced, is largely confessed by this reverend prelate. To produce some instances :

Bp. Burnet,
pt. 3. p. 197.

He reports a memorable passage from Ridley's Life. That when this bishop had bestowed a prebend in St. Paul's upon Grindall, " He received a letter from the council to stop collation : for the king was to keep that prebend for the furniture of his stable." So that it seems the horses made part of the chapter. At the close of this reign he observes, " The untimely end of this prince was looked on as a just judgment of God upon those who pretended to love and promote a reformation ; but whose impious and flagitious lives were a reproach to it. The open lewdness in which many lived, without shame or remorse, gave great occasion to their adversaries to say, they were in the right to assert justification by faith without works, since they were, as to every good work, reprobate. Their gross and insatiable scrambling after the goods and wealth that had been dedicated with good designs, though to superstitious uses, without applying any part of it to the promoting the Gospel, the instructing the youth, or relieving the poor, made all people conclude that it was for robbery, and not for reformation, that their zeal made them so active." To this he subjoins an authentic account of the court's indirect dealing with respect to the deanery of Norwich.

5.

Id. pt. 3.
p. 216.

Id. p. 218.

Our learned historian goes on to lament the want of probity and Christian behaviour in the politicians and *grand monde*, in a very solemn and tragical strain. He reports, these men of distinction " talked of the purity of the Gospel, while they were wallowing in all sensuality and uncleanness ; pretending to put all their confidence in the merits and sufferings of Christ, while they were crucifying him afresh and putting him to open shame. That there was no redress of crying abuses to be expected

from the men in power, because they found their account too evidently in them; that these were men in whose hands things grew every day worse and worse; whose arrogance, and other disorders, our chief reformers were forced in some measure to connive at, that they might not provoke them to retard a work that could in no wise be carried on without their countenance and authority, though they saw the prejudice it brought upon them to be obliged to apply to and to make use of such tools; that the righteous souls of our best reformers were much grieved to find themselves engaged with men that were ready to pull down, especially when anything was to be got by it, but were as backward in building up as they were forward in plucking down, so that they seemed to design to leave all in a great ruin. These were hindrances to the progress of the Reformation, as they were both the burden and the shame of our Reformers." Our author, in the page before this, has a Id. p. 217. great deal more to the same purpose.

It is true this reverend prelate confines the mal-administration chiefly to the beginning of this reign, as if matters mended upon the course; but this account is quickly retracted; for in the Id. p. 217. next leaf he recollects himself, and assures us that "things P. 218. grew every day worse and worse."

Now, after all this keenness and length of satire, I desire he would please to recall his censure, and not charge me with overloading the administration, and discovering a "particular virulence against the memory of this prince." Id. p. 217.

His third instance, to discover the mysterious principles and design with which I wrote, relates to Mary queen of Scots. The dangerous words are these: "Her fortitude and devotion were very remarkable: she supported her character with all imaginable decency, and died like a Christian and a queen."

And what harm is there in this? It is no more than bare justice to her memory. Even Cambden gives her a larger commendation than this comes to; and, which is more, queen Elizabeth is deeply censured for breach of promise, for confining and maltreating this princess; and, lastly, for bringing an independent queen, her cousin, first to her trial, where she had not the benefit of the law, and then to the block. Collier's Eccles. Hist. vol. 2. p. 601 Bp. Burnet, pt. 3. Pref. p. 3. Cambden, Eliz.

But Mary queen of Scots was a Roman Catholic; therefore a good word is too much for her. To what purpose else can this passage be cited? But this learned prelate was of another

Bp. Burnet's Charge,
p. 63.

mind last summer : for, at the Salisbury visitation, he throws in a clause for candid construction and good usage : he declares " his heart is full of personal charity for papists," and " thanks God " for this benevolent disposition ; that he " has known many good men amongst them, and loved them particularly." And since, within the bishop's acquaintance, many papists are " good men," why might not this queen of Scots be a good woman, and a princess of great magnanimity, as Cambden reports her ? And, if so, it is pretty plain her character is not over-flourished.

Bp. Burnet,
pt. 3. Pref.
p. 3.

The last exceptionable instance is taken from a short parallel drawn between queen Elizabeth and her sister queen Mary, with reference to the Church. And here this learned prelate, though he gives no reason for it, would have his reader believe the comparison leans too much to the advantage of the latter. To this I answer,—

Collier's
Eccles. Hist.
vol. 2.
p. 670.
English
Hist. Li-
brary,
p. 169.

1. The parallel runs all by way of query, and nothing is directly asserted. My words stand thus : " May it not be affirmed, the one made martyrs in the Church, the other beggars ?—the one executed the men, and the other the estates ? And therefore, reserving the honour of the Reformation to queen Elizabeth, the question will be, Whether the resuming the first-fruits and tenths, putting many vicarages in a deplorable condition, and settling a perpetuity of poverty on the Church, was not much more prejudicial than fire and faggot ?" &c. Thus we see every thing is put by way of question, and referred to the reader's decision ; and where nothing is affirmed, one might have hoped nothing would have been charged. But,—

Bp. Burnet's Hist.
pt. 3. p. 331.

2. Supposing these queries turned into affirmations, which is more than the words will bear, are not the facts undoubted, and the inferences beyond contradiction ? Is not queen Mary said to have " made martyrs ?" And does the persecuting truth and burning people for orthodoxy come near a commendation ? The honour of the Reformation is reserved for queen Elizabeth,—and is not this a remarkable preference ? On the other side, were not all the impropriations vested in the crown, were not the first-fruits and tenths, returned by queen Mary to the Church ? This last our learned historian commends as a " noble instance of bounty." He likewise observes that impropriations are the true " patrimony of the Church," and that

the granting them away "has put a great part of our clergy under crying necessities." Ibid.

And does not queen Elizabeth's conduct fall under disadvantage upon both these considerations? Does not poverty in the clergy breed ignorance and contempt; call them off from their business, and weaken their character? And must not the laity be losers in their biggest interest, and suffer deeply upon this score? Without doubt they must, unless Christianity is an imposturous contrivance, and heaven and hell no better than romance. What bishop of primitive conscience and courage would not willingly go to the stake to rescue religion from such a state of impotence? Now that these crying necessities were in a great measure brought upon the Church by queen Elizabeth's administration, is too evident to be denied: and, to come somewhat closer, it is sufficiently confessed by this learned historian. And therefore, for any thing that has hitherto appeared, I may have as disinterested and defensible a notion of the happiness or misery of a Church, as this reverend prelate. 6.

This learned prelate proceeds to complain I have not done him justice in denying the difference between the Ordinall published in king Edward VI.'s reign; and that now in use. And for this he appeals to the first edition of the Ordinall, in the Lambeth library. I grant this is putting the matter upon a fair issue. Bp. Burnet's Pref. p. 4.

But here, it may be observed, he owns a variation between the Lambeth print and the passages transcribed in his History; and, which is more, he is so kind as to prove it. And though he calls it a small variation, it is plain, by his own account, there are several solemn circumstances omitted. Id. ibid.

Secondly, There is not only omission, but contradiction, between the reports of this matter. In the second part of his History of the Reformation, this learned prelate affirms, "that by the first reformed Ordinall there was nothing more in the consecration of a bishop, than what is now in use, save that a staff was put into his hand with this blessing, 'Be to the flock of Christ a shepherd.'" But, in the preface to his third part, he tells us, "the Rubric appoints the archbishop to lay the Bible on the consecrated bishop's neck, and say, Give heed to reading." Id. Hist. Ref. pt. 2. book 1. p. 149, compared with Hist. Ref. pt. 3. Pref. p. 4. P. 144.

The Ordinalls perused by me were printed by Grafton and Whitchurch, in the year 1552. I thought them the first edi-

tions, but am now convinced there was an Ordinall published in 1549. However, that this last mentioned differs from the other two, is more than I can yield, till better informed. My reasons are, (1st.) because neither the act of parliament, which confirms the Ordinall, nor the Church where she speaks to this matter in her Articles, takes notice of any alteration. I cite the act of parliament, because though it mentions alterations in the Common Prayer, there is nothing said of any difference in the Ordinall. (2dly.) Mason, who lived in queen Elizabeth's reign, wrote upon this argument, and one would think should know matter of fact; this famous defender of the English clergy asserts expressly, that the ring, the pastoral staff, the oil, &c. were retrenched in the reformed Ordinall. That Parker was the first archbishop consecrated by this new Ordinall: and that the same form used in the reign of Edward VI. and still retained in the Church of England, was observed at this solemnity. Now at Parker's consecration the instrument informs us in so many words, that there was no pastoral staff put into his hands. Thus the reader may see, if I was somewhat mistaken, I had good authority for my excuse.

And here I make no scruple to confess, that the Ordinall in the Common Prayer Book, printed by Richard Grafton, anno 1552, and now in the Lambeth library, though it mentions nothing of putting the pastoral staff in the consecrated bishop's hand, nor that the consecrating bishops had this mark of authority in theirs; yet there is a manuscript marginal note, for putting the pastoral staff into the consecrated bishop's hand: and this note has a line struck through for deletion.

Now, notwithstanding from this deletion and the print, we may certainly conclude this ceremony was then omitted: however, this marginal hint seems to refer to a former custom, and possibly to what was practised since the Reformation: but whether enjoyed by the Ordinall of 1549, is more than can be clearly inferred.

But granting this note refers to the Ordinall last mentioned, this learned prelate may lose by the concession another way: for the Ordinall printed by Grafton and Whitchurch, anno 1552, tells us nothing of a chalice, either with bread in it, or without it, put into the priest's hand; neither is there any written marginal note to point towards any such ceremony practised since the Reformation. Thus Mason is positive that no

5 & 6 Edw. 6.
cap. 1.

De Minist.
Anglic.
p. 356.

Id. p. 357,
358.

*Nullum
archiepi-
scopo tra-
dens pasto-
rale bacu-
lum.* Sup-
plement to
Morey's
Dictionary.
Article,
Parker.
Eccles. Hist.
vol. 2.
p. 461.

In the
Lambeth
Library.

consecrated plate was delivered to the priest by the reformed Ordinal. But this is affirmed by our learned historian. The circumstance related is wonderful. He tells us, that by the Rubric of the Ordinal printed 1549, the bishop put the chalice with bread into the priest's hand at his ordination. Now this ceremony is altogether without precedent. It is true, the Church of Rome, for these last six or seven hundred years, have put the paten with wafers into the priest's hand; but that the chalice with bread without wine, was given him at his ordination, was never the custom of the ancient or modern, of the Greek or Latin, of the reformed or unreformed Churches. Here therefore I must crave an oyer of the record; for till the book appears I cannot resign.

Mason. De
Minist.
Anglic.
Bp. Burnet's
Hist. Ref.
pt. 2. p. 144.
pt. 3. Pref.
p. 4.
Bp. Burnet,
ibid

See my Ec-
cles. Hist.
vol. 2.
p. 288, 289,
290.

After enquiry in other places, I saw this Ordinal in the Lambeth Catalogue. The class and figures are particularly marked, but, upon a diligent search, neither the number for direction, nor the book, are to be found: it is therefore either lost, or much mislaid. I am sorry I missed succeeding, because it was here the bishop saw it lately, and hither he appeals.

I have waited several weeks for this book: and going again to Lambeth, I am informed the archbishop has taken it out of the library into his study: but an accident having lately happened in his family, it was not thought proper to trouble him for a sight of it. Here I saw Dr. Gibson's Codex Canonum, &c.; who, referring to this Ordinal, mentions the pastoral staff put into the bishop's hand, and the chalice with bread into the priest's. Now if this gentleman transcribed from the Ordinal, (which seems probable) and not from bishop Burnet's second part of the History of the Reformation, I must own myself mistaken: supposing this, the grounds I went upon had strong appearances of truth.

Bp. Burnet,
Hist. Ref.
pt. 3. Pref.
p. 5.

I confess the doctor's making his references to 3d and 5th Edw. VI. is what I do not perfectly understand. For the first Ordinal was drawn in the 3d, and published in March, when the 4th year of this reign was newly begun. In the 5th and 6th year of this prince, the Common Prayer reviewed was confirmed by act of parliament, and printed by Grafton, with the Ordinal annexed, in which the ceremonies above-mentioned are all omitted. But if the doctor's references are either misprinted, or elsewhere explained, my doubt is so far satisfied.

After all, inspecting the book is the fullest evidence. And here, if the view happens to go against me, I can better afford to be somewhat mistaken than the bishop. For granting him right in this remark, he is plainly wrong in all the rest.

This learned prelate charges me with changing a very material word in the Rubric of the Common Prayer in king Edward's time. The design of this Rubric, made at the review of the Liturgy, was for explaining the posture of kneeling at the eucharist, to an inoffensive sense. And where lies the exceptionable word? It is in putting "corporal presence" of Christ's natural flesh and blood, instead of "real and essential." This alteration, it seems, brings up a very different meaning; for the assertors of transubstantiation neither do, nor can pretend there is any such corporal presence. No; they affirm the body is not present corporally, but spiritually, or as a spirit is present. To this I answer, that notwithstanding it has so happened that corporal is put instead of real and essential, this change of the terms is not at all material. Which I shall prove,

Bp. Burnet,
pt. 3. Pref.
p. 5.

Ibid.

1st. From the Rubric in king Edward's reign.

2ndly. From the doctrine of the Church of Rome.

1st. From the Rubric. This direction, as this learned prelate reports it, declares, that "by kneeling no adoration is intended to any 'real' and 'essential' presence of Christ's natural flesh and blood; for the natural body and blood of our Saviour are in heaven, and not here: it being against the truth of Christ's natural body, to be at one time in more places than one."

From hence it is plain, that "real," and "essential," and "corporal" presence, are terms of an equivalent and tantamount sense; for the Rubric informs us, there is no adoration intended to the "real and essential presence of Christ's natural flesh and blood." Why so? "Because the natural body and blood of our Saviour are in heaven, and not here: it being against the truth of Christ's natural body, to be at one time in more places than one."

The Rubric goes upon this ground: where our Saviour's natural flesh and blood are really and essentially present, they must be present in the essential properties of a body; that is, to say nothing farther, they must have *partes extra partes*, be extended, and impenetrable. But such a presence, the Rubric

tells us, is impossible, because "it is against the truth of Christ's natural body, to be at one time in more places than one." But if real, essential, and corporal, did not mean the same thing, it would not be "against the truth of Christ's natural body, to be at one time in more places than one." Because by this construction, our Saviour's body might be corporally present only in one place, and yet at the same time be really and essentially, that is, spiritually present, at the greatest distances, which is plainly denied by the Rubric. Farther, as another reason against adoration, it is affirmed, that "the natural body and blood of our Saviour are in heaven, and not here." But if real, essential, and corporal, are not of the same signification in this Rubric, what should hinder our Saviour's natural body from being in heaven and here at the same instant? For, considered with tangible qualities, and the other traits of "corporeity," it was only in heaven; and yet, under the notion of an immaterial privilege, and a spiritual presence, it might be on earth at the same time. Besides, the Rubric made in Edward VI.'s reign, and that now used, give the same reasons against adoration; from whence it follows, that the real, essential, and corporal presence must come under the same meaning; for if the manner of presence denied in one Rubric was different from that in the other, the same reasons for prohibiting adoration could not hold.

2ndly. By the doctrine of the Church of Rome, the real, essential, and corporal presence in the holy eucharist, are only different words for the same thing.

Thus Philpot, archdeacon of Winchester, is pronounced an heretic for denying the "real (that is, the corporal) presence of Christ's body and blood in the Sacrament of the altar."

Fox, p. 580.

Dr. Humphreys, amongst other things, complains, that upon queen Elizabeth's accession to the throne, the "article in king Edward's reign of the spiritual manducation, which clearly contradicted the 'real' presence, and gave a full explanation of the true doctrine, was now published maimed and docked."

Thus we see the spiritual manducation and the real presence are plainly opposed, and mentioned as contradictions to each other. And does it not follow from hence, that in Dr. Humphrey's opinion, the "real" and "corporal" presence were no more than two words for the same meaning?

Bp. Burnet's
Hist. Ref.
pt. 3.
Records,
book 6.
num. 79.

Lastly. Whereas this learned prelate suggests the assertors of transubstantiation do not maintain a corporal presence ; for this must be his opinion, otherwise his recital has no manner of force in it ; I shall prove, from authentic authorities, that the corporal presence has been the doctrine of the Church of Rome ever since the public defining of transubstantiation ; and though I am not ignorant that some members of that Church affirm, that our Saviour's body " is not present corporally, but spiritually, or as a spirit is present ;" yet we are not to take the sense of a communion from such private unauthorized hands. To put this matter out of doubt (which one would have thought need not have been proved), I shall only give two or three undeniable instances.

A. D. 1078. First. The council at Rome, under Gregory VII. obliged Berengarius to recant in this form, that by the mysterious force of the consecration, the bread and wine are truly, properly, and substantially changed into the true, proper, and quickening body and blood of our Lord Jesus Christ. And archbishop Landfrank, in his answer to Berengarius, comes up to the same form, and speaks plainly for a corporal presence.

8. Secondly. The famous council of Lateran under Innocent A. D. 1215. III. maintains, " That in the Sacrament of the altar, the bread, by the Divine Omnipotence, is transubstantiated into our Saviour's body, and the wine into his blood ; that for the completing the mysterious union between Christ and his Church, we may receive his human nature, as he was pleased to take ours."

Concil.
Labb. and
Coesart,
tom. II.

Now, if the council believed our Saviour's human nature was received in this Sacrament, as he took ours, they must by consequence maintain the corporal presence in the strictest notion.

I shall conclude this matter with the *Catechismus ad Parochos*, drawn by a committee appointed by the council of Trent, and standing on the authority of that synod.

This Catechism, made for the instruction of the parish priests, acquaints us, that by the words of consecration, " the true body of our Saviour, that body which was born of the blessed Virgin, and sits at the right hand of the Father in heaven, is present in this Sacrament." And to make the orthodoxy of this article more apparent, " The parochial clergy are put in mind to cite our Saviour's words in their

sermons,—‘this is my body,’—and explain them in a literal sense.”

And lastly. “They are to inform their audience, that whatever is included in the essence and composition of a real body, (for instance, bones and nerves,) are contained and present in this Sacrament.” They are farther to instruct their people, “That the whole person of Christ, the divine and human nature, are joined in this mystery; that the most comprehensive idea of both these substances, and whatever is consequent to the notion and integrity of either of them; that is the Divinity and entire human nature; by which is to be understood, the soul, the blood, and all the parts of the body: all this compass of nature, properties, and parts, are to be believed present in the holy eucharist.” Now, whether these testimonies do not amount to more than “a body’s being spiritually present,” if there is any sense in that expression, I leave the reader to judge.

Ossa et nervos.

*Catechism.
ad Paroch.
p. 169. 193.
edit. Lug-
dun.*

There is one extraordinary observation in this paragraph which must not be overlooked. This learned prelate observes, that the changing the real and essential into the corporal presence, was chiefly procured by one D. P. G. soon after the Restoration of king Charles II.; that the person hinted by these capitals had a very extraordinary subtlety for reconciling the opinion of a real presence in the Sacrament, with the last words of the Rubric, “that the natural body and blood of Christ were in heaven, and not here,” &c. And to what expedient did he apply to bring these wonderful things to a consistency? Why, he disengaged the difficulty thus:—“A body is in a place, if there is no intermediate body, but a vacuum, between it and the place.” And he thought that by virtue of the words of the consecration, there was a cylinder of a vacuum between the elements and Christ’s body in heaven; so that no body being between, it was both in heaven and in the elements. By the way, this D. P. G., who was guilty of this solemn piece of folly, must be no worse man than Dr. Peter Gunning: a bishop of as great a character for learning and piety as any then living in the kingdom. As to the odd manner of explaining this mystery, I shall say nothing; but it is plain the doctrine comes home to consubstantiation. But that the famous bishop Gunning was a Lutheran in this point, is a discovery I never heard of.

*Bp. Burnet,
Hist. Ref.
pt. 3. Pref.
p. 5.
Ibid.*

But let D. P. G. stand for whom you please, he must certainly be some person of figure, who had a sway in the convocation. Now, I desire to know to what purpose he solicited for this alteration in the Rubric? Upon what motive did he procure the change of the real, or essential, into the corporal presence? Did he suppose, though the expression was altered, the doctrine continued the same? If this was his belief, what made him press for amendments? To refine upon our first Reformers cannot well be done without something of reflection; constancy, as to form and opinions in an ecclesiastical legislature, is a recommending circumstance, and argues a wise settlement. This person therefore must believe there was some strong reason or necessity for the change; that is, he must suppose the word corporal comprehended a grosser idea, and conveyed the doctrine of trans, or consubstantiation with fuller evidence than real, or essential. Now, if he believed the term corporal delivered a different and bigger meaning, what made him relinquish his own alteration, and stick to the old word, real? That he did so, is plain; for, as this learned prelate assures us, he invented the cylinder of a vacuum, "to reconcile the opinion of the real presence with the last words of the Rubric." But enough of this matter; for by this time I doubt not the reader will see, that though a single word was mistaken, the sense remains perfectly the same.

Pref. p. 6.

Bp. Burnet's
Hist. Ref.
pt. 3. p. 126.

But now, at taking leave, I have a parting blow. This learned prelate is pleased to say, "he should have a better opinion of my integrity, if I had professed myself not to be of his communion, nor of the communion of any other Protestant Church." Had this stroke been well aimed, the smart would have been pretty sensible; but as it happens, the mark is quite missed, and I feel no pain about it. I am afraid our learned historian has fallen a little into cardinal Pole's misfortune, that he "turned his mind mostly to eloquence;" for here is "much more declamation than argument." Though, if I am not mistaken, unless the logic is true, the eloquence must be false; for rhetoric is nothing but reason well dressed, and argument put into order.

However, that the reader may not trust too far to the figure of the title-page, and be misled by a solemn authority, I shall endeavour to remove the imputation. And here I shall be brief in the recital, and refer to volume and page for

justification. To begin with the pope's supremacy. This claim is endeavoured to be disproved from the style of the first council of Arles, from the council of Sardica, and the general council of Ephesus; from a synod of the African Fathers in the case of Apiarius: where they insist on their own independence, and forbid appeals to transmarine Churches; from the British Churches, disowning Austin the monk's pretences to superiority, refusing submission to pope Gregory the Great; and from the discourse between the emperor Constantius and Liberius.

Eccles. Hist.
vol. 1. p. 27,
28.

9.

Id. p. 32,
33, 36.
Id. p. 76, 77.

Id. vol. 2.
p. 612.

Transubstantiation is shown not to be the doctrine of the English Saxon Church. The two famous testimonies of St. Chrysostom and Theodoret, brought against it. The ancient Greek Liturgies are cited to this purpose. And Philpot's, Cheyney's, and Cranmer's arguments are mentioned with approbation.

Id. vol. 1.
p. 204. 206.
Id. p. 262.

Id. vol. 2.
p. 260.

Id. p. 356,
357, 358,
368.

The Hildebrandine claim of temporal power over princes, together with the bulls of excommunication fulminated against king Henry VIII. and queen Elizabeth, are censured with sufficient dislike.

Id. p. 98.
153. 263.

Giving the laity the holy eucharist only under one kind, is called a departure from the practice of the Catholic Church for more than a thousand years together.

Id. vol. 1.
p. 480, 481.

The worship of images is proved an innovation from the testimonies of St. Epiphanius and pope Gregory the Great; from the councils of Frankfort and Paris; from the Caroline books, and from the remonstrance of the English Church at that time. Farther: the statutes against the Lollards, the executions upon heterodoxy, whether real or pretended, and the cruelties on the score of religion in queen Mary's reign, are related as counter-methods to the spirit of Christianity, and condemned, in the case of Priscillian, by the ancient Church; and that in England, as low as the reign of Edward III. imprisonment, and not burning, was the punishment for heretics convict is stated.

Id. p. 65,
66. 139.
140, 141.

Id. vol. 1.
p. 616, 617.
vol. 2.
p. 382. 397.

There is likewise an endeavour to prove that prayers in an unknown tongue are plain deviations from Scripture and antiquity.

Id. Pref.
p. 5.

And lastly, it is observed, that the council of Trent's setting Scripture and tradition upon an equal footing of authority, and

Conc. Trid.
sess. 4. De-
cret. de
Canon.
Scriptur.
Eccles. Hist.
vol. 2. Pref.
p. 4. and
vol. 2.
p. 253 to
255.

extending the canon to the Apocrypha, have disserved the union of Christendom, and gone off from Catholic tradition.

These, as far as I understand, are the main points in controversy. This disagreement is the partition wall between the two Churches of England and Rome; this fixes the gulph, and makes a coalition impracticable. And which way a man that defends the reformed side of all these questions, can be fairly charged with popery, is wholly beyond my comprehension.

But it may be I have run myself upon contradictions; pulled down what I have built, disclaimed popery in one part and maintained it in another. I confess such miscarriages are not without example. Some celebrated writers have fallen into misfortunes of this kind. However, I challenge any man to prove me guilty of any such inconsistency, in either of the volumes; or that I have asserted so much as a single proposition insinuated in the charge, either on the heads above-mentioned, or any other.

I am sensible some people count the government and practice of the primitive Church, and the decent solemnities in Divine worship, remains of popery. I own myself by no means inclined to these modern extremities. To oppose every thing believed and practised in the Church of Rome, is little less than distraction. At this rate, we must throw away the Creed, and the Bible. And as king James I. argued against the Dissenters, "the Papists wear shoes and stockings, therefore we must go barefoot."

Conference
at Hampton-
court.

To return. If the arguing on the Reformation side in the points abovementioned are sufficient discharges from imputation of leaning towards popery, I hope I may have given satisfaction, especially considering there is no clashing or falling foul of one place upon another.

But if it is farther required I should have strained ambiguities to the hardest construction, made tragical representations, and delivered myself in rough language without decency or ground; that I should have bestowed some warm periods to exaggerate matters, to heighten differences, and widen the breaches in the Catholic Church; if it was my business to foment a spirit of ill nature, to inflame animosities, and exasperate one division of Christians against another; that I

should have given some loud repeated warnings to secure a quarter, where the garrison is always upon duty, and the place sufficiently fortified; that I should have conjured up mormoes, sounded an alarm against imaginary dangers, and made people fear, where no fear is; that I should have battered a party, watched by a general dislike, inoffensive by want of numbers, and disabled from making disturbance, though never so willing; if it is expected I should have told some formidable stories (with the proof quite out of sight), to destroy the confidence between Christian princes of a different communion; to make treaties impracticable, and maim all public correspondence: (for if such relations should give an impression, it would serve only to make the states of Christendom regardless of each other's interest, and disinclined to mutual defence; it would afford the infidels an opportunity to invade the pale, and destroy the plantations of the apostles; to take down the cross, and set up the crescent, and leave the Mussulmen and Freethinkers to scramble for the world:) in fine, if it is a fault not to have spent some declamation upon these heads,—if silence upon these topics is reckoned an omission, I must own myself guilty, and, which is somewhat more, I never intend to repent.

Bp. Burnet's
Hist. Ref.
pt. 3. p. 257.

And now having gone through the objections in his preface, I should have stopped here, had there not been two passages in his History, in which I may be something concerned.

This learned historian bears hard upon Cavendish's memory, taxes him with misreporting the battle of Pavia, from thence concludes, "he is little to be depended on, and owns withal, he has followed him too implicitly in his former work."

Bp. Burnet's
Hist. Ref.
pt. 3. p. 38.

I shall not examine, at present, whether Cavendish and Guicciardine agree in this relation: let it be granted, the first may be somewhat in the wrong; granting this, the inference is by no means conclusive; for how does it follow from his misrelating a battle almost a thousand miles distant, that he is not to be depended on for matters of fact in the family where he lived, and with which he may reasonably be supposed to be thoroughly acquainted? Cavendish, who wrote Wolsey's life, was a man of birth, employed upon the greatest occasions, and this cardinal's intimate domestic, through the whole course of his greatness to his death. As for his writing upon memory, as this learned prelate affirms, there is no manner of proof of

See Me-
moirs of
Cardinal
Wolsey.

10.

his being no better furnished ; on the contrary, his reciting his master's speeches and discourses to a considerable length, his tracing the cardinal's fortune step by step, his giving the detail of occurrences with so much particularity and circumstance, both with respect to time and other things ; these are strong indications he wrote upon memoirs, and probably the cardinal's as well as his own. Having sometimes cited this gentleman's book, I thought myself obliged to do him this justice.

Bp. Burnet's
Hist. Ref.
pt. 3. p. 210,
211.

Our learned historian affirms, it is plain the forty-two articles, said in the title to have been agreed on by bishops and other learned men in the synod of London, anno 1552, did not pass in convocation. Against this assertion he raises an objection, and confesses, "that in the first convocation under queen Mary, the prolocutor Weston charged Philpot, that a Catechism was put forth without their consent." To this Philpot answered on the sudden, "That the house had granted an authority to make ecclesiastical laws, to certain persons to be appointed by the king's majesty. And that what was set forth by them, might well be said to be done in the synod of London, although the house had no notice thereof before the promulgation."

Id. p. 211.
See Fox.

To this the learned prelate replies, "That this answer was made on the sudden ; that Philpot did not consider that the convocation had not agreed to any such deputation of thirty-two persons settled by act of parliament."

Bp. Burnet,
ibid.

To this it may be returned, first, it does not appear that Philpot's answer was sudden, or that he ever retracted it.

Secondly, this learned author seems to have overlooked the force of Philpot's argument. He does not insinuate the deputation consisted of thirty-two persons, and went upon the authority of an act of parliament ; for, as bishop Burnet rightly observes, this parliamentary provision has no relation to matters of doctrine, but only to discipline, canon law, and the process of ecclesiastical courts ; whereas the articles charged upon Philpot were a system of belief. And why might not the convocation appoint a committee for drawing articles of this nature ?

This learned prelate argues farther, that Cranmer disowns the settling "the title, and grants the Book of Articles to be his doings ;" that is, he had a hand in the direction and drawing. But that the book was his single performance, cannot be

inferred from the expression, and is clearly contradicted by Philpot; who informs us that bishop Ridley, and some other divines, had a share in drawing up the Catechism. Now that the Articles were comprehended under the title of the Catechism, is supposed by this prelate, and might be farther proved by several reasons, too long to insert.

Collier's
Eccles. Hist.
vol. 2.
p. 355, from
Journal
Convoc.
Convoc. id.
p. 368.

And, lastly, we may remember, Philpot was archdeacon of Winchester, a member of the convocation of course, and, in all likelihood, spoke from his own knowledge. He was, besides his learning, a person of integrity, constancy, and courage; and therefore if there should be any difference (which is more than appears) between this gentleman's relation and Cranmer's, the testimony of the archdeacon must be allowed to be altogether as unexceptionable as the archbishop's: to which may be added the learned Heylin's observation, that those Articles were received as the doctrine of the Church of England, for the first five years of queen Elizabeth's reign. That is, till they were reviewed, and somewhat altered by the convocation in 1562. Now, had they been the work of a single hand, it is not likely their authority would have run so high, and that they should have passed so long for the belief of a national Church.

Heylin,
Hist. Ref.
p. 121, 122.

And, which is a farther confirmation, this learned prelate reports from an Abstract of the Convocation-Book, that the prolocutor "declared to the upper house, that the articles set forth in a synod in king Edward's time, were now before a committee, to be considered, and if need was, to be corrected by them," whence it seems to follow, that this lower house of convocation believed the articles of 1552 were passed with the assent of a synod.

Bp. Burnet's
Hist. Ref.
pt. 3. p. 301.

And now, having nothing farther with our learned historian, I must next consider some few things observed upon both my volumes by bishop Nicholson. This reverend prelate, in his English Historical Library, though he offers to disprove nothing, yet by the manner of his recital, it is plainly his meaning to give the reader a prejudice, and point to an unfriendly construction of the passages produced. He begins with taking notice, that the "critical reader will be apt to observe some special respects, occasionally paid to the bishops of Rome."

Published
A.D. 1714.

English
Hist. Li-
brary,
p. 117.

I wish he had told us what these special respects are. It seems they do not lie open to common view. A man must be a critical reader, and furnished with more than ordinary saga-

city, to discover them. But I have not railed on the pope: that is true: to treat a bishop and a prince with coarse language, had been a failure both in decency and religion. But I have sometimes called him his holiness, and so does the London Gazetteer, it may be, more than once every week. And what more harm is there in this, than in calling the kings of France and Spain the most christian and catholic?

Ibid. This learned prelate says, "I insinuate that most of the modern erroneous doctrines of the Roman Church were maintained here in the Saxon times." How can I help it if they were? Am I answerable for the belief of the English Saxon Church one thousand years since?

11. I have produced unquestionable authorities for what is reported upon this head, and that is enough. Besides, I have given instances in these papers, that some doctrines now held in the Church of Rome, were not maintained here in the Saxon times: and the reader may see more in the preface to my first volume.

Eccles. Hist. vol. 1. p. 297. The next remark for disadvantage, is my affirming archbishop Anselm held the right side of the question in the dispute with the king about owning pope Urban II. I have given good reasons for this assertion, and am still of the same opinion. But that Anselm's behaviour in this contest with William Rufus was becoming a prelate of his fervent zeal, and invincible courage, as bishop Nicholson suggests, is more than I have affirmed.

English Hist. Libr. ibid. For another fault (for every passage quoted must be supposed such) it is related that "Becket's conduct toward Henry II. was also innocent, as to any practice against the crown: the man having acted all along upon a principle of sincerity." But here is a misrecital; I do not speak so decisively as this comes to; my words are these: "As to any practice against the crown, he *seems* innocent enough; and he *seems* all along to have acted on a principle of sincerity." As for the grounds of this fair construction, they are reported at large, and ought to have been disproved before the passing a censure. But some critical readers, I perceive, are apt to do strange things.

Eccles. Hist. vol. 1. p. 375. But Edward III.'s letter to the pope (concerning provisions) is said to misrepresent matter of fact; since, under the Saxon heptarchy, the English bishops were not (as is there asserted)

creatures of the crown. To this I answer, there is a salvo for the king's honour premised to this remark; and after this due regard, what crime is it to show, a prince, or rather his ministers, may be mistaken in point of history? Who ever heard of an infallible king? And where the mistake is not a little unserviceable to the Christian religion, I conceive an historian obliged to discover it; and that his majesty was misinformed about matter of fact, is made good from several instances of undeniable authority.

English
Hist. Libr.
ibid.
Eccles. Hist.
vol. 1.
p. 547.

This learned prelate having done with my first volume, passes on to the second.

Id. vol. 1.
p. 548.

And here he begins his complaint, that Luther and Calvin, Knox and Fox, are charged with mistakes and misbehaviour; and that Luther is represented as one upon the verge of distraction. But these are bishop Nicholson's words, not mine. And as for this German divine's "raising civil disturbances in the empire, breaking the chains of the canon law, and going too great a length towards the other extreme," there is nothing delivered as my own opinion; I only report what king Henry VIII. and Thomas Muncer lay to his charge. It is true, I blamed Luther for great indecencies, and failing extravagantly in the regards due to a crowned head; but this was no more than the case required. This reformer afterwards recollected himself, asked the king's pardon, and offered a recantation. And would this reverend prelate have had these material passages suppressed? reparation to the king's honour unrelated? and Luther's repentance concealed?

English
Hist. Libr.
p. 117, 118.

Eccles. Hist.
vol. 2. p. 21,
22.

Ibid.
Eccles. Hist.
vol. 2. p. 21.

Calvin, not to mention his outraging our queen Mary, and calling her Proserpine, held a correspondence with that incendiary Knox, caresses his insults of the government, and congratulates his success. Beza closes with Knox in the same principle, writes with equal warmth, and pushes the suppressing episcopacy in a bitter strain.

Calvin,
Epist. 285.

Beza, Epist.
79.

It is true queen Elizabeth supported the Scots against their sovereign, and assisted in some of these commotions; but then she was a young princess, and advised to these early hostilities by her council. They told her, the sending troops against the queen of Scots was no more than self-defence; that the landing forces at Leith had made that side the aggressors; that the French designed the conquest of the island; and that our

queen had no way to preserve her dominions, but by being
 beforehand.

Bp. Burnet's
 Hist. Ref.
 pt. 3.
 Records,
 book 6.
 num. 54.

Whether the politics were overstrained in this advice,—
 whether these precautions were justifiable or not, is more than
 I shall determine ; however, at the worst, they were not with-
 out face and colour. But what authority could Knox draw
 from this foreign precedent ? What pretence had this divine
 to preach up an insurrection ? to lead on the people to the last
 disorders of ravage, plunder, and sacrilege ? Those who know
 the Scottish constitution, and read their acts of parliament,
 will find such sallies as those plainly unwarrantable. In fine,
 false principles, short learning, flaming heat, and extravagant
 assurance, are part of Knox's character ; and I am sorry mat-
 ter of fact will make it no better.

Spotswood.

As for Fox, his temper is somewhat better governed, and I
 am willing to believe him a man of probity. What he cites
 from registers and records, I find no reason to question ; but
 then, as bishop Burnet observes, he might be too credulous in
 writing such things as were brought him by report. However,
 he was not a person of the deepest penetration. The rough
 usage himself and his friends met with under queen Mary,
 seems to have soured his humour, and given him a bias ; thus
 his zeal sometimes gets the better of his judgment, and trans-
 ports him to indefensible conduct.

Bp. Burnet's
 Hist. Ref.
 pt. 3. Ap-
 pend. 394.

To sum up this matter in a word or two ; upon Luther I
 shall observe nothing farther, but as to Calvin and the rest,
 their reputation has not been serviceable in some respects :
 neither have their writings had any kind effect upon the
 repose of Christendom. What harm is it then to report their
 failings, and prevent their doing mischief after they are dead ?
 These reformers being right in many things, and men of a
 raised character, makes their authority the more dangerous
 when they miscarry. Why then should their memory be pri-
 vileged from censure where they deserve it ? Why should
 practical errors and unprimitive conduct lie covered and con-
 cealed ? No benevolent spirit in the other world will thank
 an author for such ceremony as this. Unless I am much mis-
 taken, it is the business of an historian to mark popular mis-
 takes, to keep his reader from being surprized with names of
 credit, and swallowing diet and poison together. Unless the

rocks and sands are discovered, the ships which sail that way may possibly strike and be lost. 12.

To proceed. King Charles II. has a short commendation, though not without some alloy. But even this is disrelished by the reverend prelate. He seems unwilling a good word should be given this prince's memory; and yet it cannot be denied, the three nations flourished through his reign, and were left in peace and plenty. But he takes check at my saying, "this king died with the faction at his feet." With submission, a discontented party, that gave broad signs of arresting the government, and rising upon the laws, may fairly be called a faction: and these were the people his majesty had reduced at his death; but how long they lay afterwards in this disabled posture, and whether they recovered or not, was beyond my period to examine.

Eccles. Hist.
vol. 2.
p. 904.
English
Hist. Libr.
p. 118.

This reverend prelate's last observation is surprizing beyond the rest. "What views soever," says he, "the author might have at his first setting out, it is manifest that in this second volume his business is to compromise differences between the Churches of England and Rome, and to establish (on the authority of our two universities) a fundamental hereditary right of succession to the crown, supported by passive obedience and non-resistance."

English
Hist. Libr.
p. 118.

In answer to compromising differences between the Churches of England and Rome, I need add nothing more than what has been already offered on this head.

As for passive obedience, as the constitution stood then, I think there is somewhat more produced than the authority of the universities. But as to hereditary right, &c. there is nothing established, nor any opinion interposed. And though I thought it the business of an historian to give the reader what passed upon critical occasions, and report the judgment of others, I have endeavoured to stand clear of politics myself: and thus I have omitted a detail of some occurrences, on purpose to decline state-controversy, and prevent misconstruction.

Eccles. Hist.
vol. 2.
p. 903.
Marg.

Besides, non-resistance is no incommunicable privilege, not *proprium quarto modo* to hereditary title: elective monarchies, and commonwealths, may bind the subject as close as this comes to. The Roman empire was elective, and yet the *lex regia* made the prince absolute; neither do we find any reservations for the people to redress their grievances by force. And

Thuan.
Count Teck-
ley's Life.
Math. Paris.

I believe it would be some difficulty to produce a legal warrant in the government of Venice or Holland, for the subjects to levy an army, and call the magistracy to an account. I confess I never heard of any express liberty, and public provision, made for this purpose, unless in the charters of Andrew II. king of Hungary, and John king of England. And in this latter instrument there was a clause of security for the crown : 1st. The barons were not to hurt the king's person, or any of his children. And, 2dly. When they had made themselves reparation for what had been suffered, they were to return to their allegiance as before. Thus we see passive obedience may be claimed by every species of government, and therefore can be no peculiar support to hereditary right. And why the first should be charged as a principle to establish the latter, is not easily accounted for. I cannot forbear saying, the tacking these two together for such significant service, is extraordinary justice ! And that the force and friendliness of all his observations are equally remarkable.

POSTSCRIPT.

April 2, 1715.

By the favour of a gentleman uncommonly well furnished with curiosities of the press, I have at last gotten a sight of the Ordinal, printed anno 1549. Upon perusal, I find the Bible laid on the bishop's neck, the pastoral staff put in his hand, and the chalice with bread in it, for the priest, some of the consecrating and ordaining ceremonies.

BISHOP NICHOLSON'S OPINION
OF
COLLIER'S ECCLESIASTICAL HISTORY.

EXTRACTED FROM "THE HISTORICAL LIBRARY."

ANOTHER General Church History of England is lately published by Mr. Collier, in two volumes, and in both these the critical reader will be apt to observe some special respects occasionally paid to the bishops and see of Rome. In the * former ^{Fol. Lond. 1706.} of them, W. Prynne's voluminous proofs of the supremacy of our kings, are shown to have no strength, and that his own records demonstrate that those princes acknowledged that all their power in spirituals was derived from papal concessions. We are indeed desired to take notice, that this dispute is only with Mr. Prynne, and therefore we must (in this place) so understand the author, as if he had not any design to state the extent of the regale in the following parts of the work. There are several passages which can hardly admit of so fair an apology. He insinuates that most of the modern erroneous doctrines of the Roman Church (even that of purgatory) were maintained here in the Saxon times; that archbishop Anselm's behaviour to W. Rufus, in the case of pope Urban, was on the right side of the question, and becoming a prelate of his fervent zeal and invincible courage; that Becket's conduct towards Henry II. was also innocent, as to any practice against the crown, the man having acted all along upon a principle of sincerity; that Edward III.'s letter to the pope (concerning provisions) misrepresents matter of fact, since, under the Saxon heptarchy, the English bishops were not (as is there asserted) creatures of the crown, &c. This volume ends with the death of Henry VII. The † second begins with the reign of Henry ^{Fol. Lond. 1714.} VIII., and ends with the death of king Charles II. The Reformation, he observes, wrought so great a change in the faith

and worship (as well as in the revenues and jurisdiction) of the English Church, that its history cannot be undertaken without some hazard. But, to avoid the failings of his predecessors, he resolves neither to take too much freedom with the dead, nor to be over-awed by the living. This rule seems to have been sometimes out of his thoughts, and more particularly when he drew the pictures of such divines as had the greatest shares in the reformation of foreign Churches. Hence Mr. Luther is represented as one upon the verge of distraction, a raiser of civil disturbances in the empire; a man that made no ceremony in breaking the chains of the canon law, and rushing too far towards the other extreme. John Calvin is said to be a professed enemy to liberty of conscience, and against all method of moderation; a forward intermeddler in the settlement of religion in England and elsewhere, insolently dictating to such princes as did him the honour to advise with him. Above all, John Knox is the most severely handled, as making unusual room in the conscience for loose and over-indulgent maxims; using the Bible as coarsely as the civil magistrate, by wresting the Scriptures to mislead subjects from their duty, and teaching them to treat their governors with much harsher language than St. Michael thought fit to use against the devil. Our martyrologist, Mr. Fox, is despised as an injudicious and lean-tempered writer to be read with caution, and hurried sometimes to an extremity of madness by prejudice and passion. He makes as free with king Henry VIII., whom he taxes with cruelty and covetousness, but confesses that these vices were not without a mixture of good qualities. This latter part of his character looks faint, and falls very much short of that of king Charles II., who is represented as a prince admirably qualified for the station he was born to, having some abatements in his private life, but dying with faction at his feet. What views soever the author might have at his first setting out, it is manifest that (in this volume) his business is to compromise differences betwixt the Churches of England and Rome, and to establish (on the authority of our two universities, with which he concludes) a fundamental hereditary right of succession to the imperial crown of this realm, supported by passive obedience and non-resistance.

OBSERVATIONS
UPON
THE REMARKS OF MR. COLLIER,
IN HIS ECCLESIASTICAL HISTORY,
ON SEVERAL PASSAGES IN
BISHOP BURNET'S HISTORY OF THE REFORMATION.
(EXTRACTED FROM GUTCH'S "MISCELLANEA CURIOSA.")

BY J. LEWIS, MINISTER OF MARGATE.

TO BRITANNICUS.

THE love of historical truths which you show yourself to have, and the willingness you express to "convey into the world any facts, if they are truly and sufficiently attested, and not accompanied with rancour and spite," encourages me to send you the following remarks. Among other instances of the hatred of the late bishop Burnet conceived in the minds of some men this is one; the publishing an Advertisement in the Evening Post, No. 2254; wherein we have notice given us, that in such pages of Mr. Collier's Ecclesiastical History, vol. 2, as are there mentioned, the bishop's "mistakes, defective reasonings, and partialities" in his first and second volumes of the History of the Reformation are plainly discovered: and that these "misperformances" of his are "apparent and undeniable." This, I suppose, the advertiser thought to be the shortest way with the bishop, and a most compendious method of destroying his credit and reputation. And so indeed it would be, was what he so confidently affirms as implicitly and without any examination believed.

Mr. Collier's second volume here referred to was published long enough before the bishop's death for his lordship to peruse. Accordingly the bishop gave this character of it, that "the learned writer finds his History often in his way, . . . and designs all through to set such remarks on it, as,

if they were well grounded, must destroy the credit it has hitherto obtained.

Without any breach of charity, we may well suppose this was Mr. Collier's design; but with what success he has managed it I leave you or any one to judge, after having considered the following observations on the places particularly specified in the forementioned Advertisement.

The first is page 10, 11: where our learned Church historian rallies the bishop as the author of "a very severe charge upon the then Church of England, and guilty of a mistake in matter of fact," in saying, that when popery prevailed here parents "teaching their children the Lord's Prayer, the Ten Commandments, and the Creed, in the vulgar tongue, was crime enough to bring them to the stake." To justify this censure of the bishop, Mr. Collier tells us, "The bishop cites Fox for his authority, and that Fox cites no other authority than one Mother Hall." Let Fox now be turned to, vol. 2, p. 40, there you will find bishop Longland's Register transcribed, to prove that several were delated for teaching and learning the Ten Commandments, Pater-noster, Ave, and Creed in English, and were forced to abjure their doing so, to have their liberty. Why were they to "abjure," if their learning the Ten Commandments, &c. in English was no crime? I do not find that Mr. Collier offers to assert, that there was at this time any translation of the Ten Commandments, &c. into English allowed of by the then Church of England: what translation there was of them seems to have been made by that famous reformer, Dr. John Wickliff. Now, by a constitution of archbishop Arundel, any who read any little book or tract of John Wickliff, without its being first examined and approved by one of the universities, was decreed and ordained to suffer as a promoter of schism and heresy: in other words, this was "enough to bring them to the stake." As to what Mr. Collier adds, that "the Lollards struck at the fundamentals of the Church, and had very dangerous opinions both with respect to faith and property;" whatever truth there may be in the former part of the censure, if by Church he means the then Church of England, there is none in the latter, as Mr. Collier would have known had he kept to his motto; "*Juvat integros accedere fontes.*"

P. 19. col. 2. Mr. Collier refers to Anthony Harmar, whom

he calls "a learned remarker, as observing, that what the bishop says of the religious in his History, part 1. p. 22, is a very hard censure upon a whole order of men." But that this is no false censure is plain from the writers quoted by the judicious bishop Sanderson, ad Populum Sermon. IV. who gives this character of the monks, &c. "Evil beasts, slow-bellies, stall-fed monks and friars, who . . . by their sensual wallowing in all ease and idleness, and fulness of bread, and (the fruits of these) in abominable and prodigious filthiness and luxury, became as proverbs and by-words in the mouths and pens of men of all sorts." The bishop has not run a greater length of satire than this upon the insignificancy and misbehaviour of the religious. It is reporting a false fact to affirm, as Mr. Collier does, that "the bishop refers to the reign of king Edgar for the monks' settlement here in England." His lordship only refers to those days for the beginning of the increase of monkery here. "From the days of king Edgar," says he, "the state of monkery had been still growing in England." The time his lordship refers to, of their misbehaviour and "giving themselves up to idleness and pleasure," is when they were settled in most Cathedrals of England, and were every where possessed of the best Church-benefices;" which every body knows was long after king Edgar's days.

Page 53. col. 1. Mr. Collier reflects on the bishop, as "charging the Oxford antiquary with giving credit to a lying story set down by Saunders;" whereas, he says, "it is plain Wood makes no use of Saunders's authority, but cites the Records of the university for the main of his narrative." Let Wood be consulted and the reader trust his own eyes, if he dare do it. It is true Wood does not name Saunders, but he tells the story which Saunders tells, and that, as the bishop says, "without any proof." So far is Wood from citing the Records of the university for the main of this narrative of an "assembly called in the night," &c., or "*de clandestino togatorum purpuratorum conventu*," that he does not cite them at all for any part of this story. Mr. Collier adds, that "the instrument to which the university set their seal was agreed on in a convocation of all the doctors and masters, as well regents as non-regents, giving power to the doctors and bachelors of divinity to determine the matter, &c.; the original whereof, the bishop says, lord Herbert saw, though that lord calls it

an original in one place, yet after the recital he makes no more of it than a blurred copy." But Mr. Collier seems not to have minded what he was writing, since he observes that "Lord Herbert makes no scruple to confess that it is not probable that it should be intended for the king in that manner." No, nor in any other manner. For what use could an instrument be of to the king, which was only to empower the doctors, &c. to answer the king's question, and to set the seal of the university to their conclusion?

Col. 2. Mr. Collier remarks, that "the bishop mistook in guessing Dr. Edmonds to be bishop Bonner," which is true.

Page 68, 69. Mr. Collier finds fault with the English translation of the oath of obedience, which the popish bishops took to the pope. But he hunts on a false scent.

1. He mistakes it for the bishop's translation: whereas his lordship copied it from Hall, with some few corrections of undoubted mistakes. How his lordship would have translated it may be seen in the Appendix to the "Vindication of the Ordinations of the Church of England."

2. Mr. Collier finds fault with its being translated "resist and persecute:" "whereas," he says, "the words in the original are *prosequar et impugnabo*." What he calls the original I do not know: but in pope Gregory's form this clause was entirely wanting; as it was in that in archbishop Chichele's Life. In the form which the bishop transcribed the words are "resist and persecute;" as the reader may see with his own eyes by turning to fol. 205 of Hall's Chron. reign of king Henry VIII. In the Roman Pontifical of the Antwerp edit. 1627, the Latin words are *pro posse prosequar et impugnabo*. Our learned historian follows his stroke by adding, that "in bishop Burnet's translation it is 'So help me God and all saints;' but 'all saints' are not in the original."

If by the original Mr. Collier means the Roman Pontifical, he is right.

"All saints" are not mentioned there in the conclusion of this oath, nor in the form in archbishop Chichele's Life. And yet in Hall the form transcribed by the bishop is thus concluded: "So God me help, and all saints."

Mr. Collier adds, that "the bishop is not pleased to give us the proof of his conjecture, that the contradiction between the two oaths, to the pope and the king, was so visible that it

had soon produced a severe censure from the house," &c. To satisfy him Hall tells us, "the opening of these oaths was one of the occasions why the pope, within two years following, lost all his jurisdiction in England."

Our learned historian, to set all things right, is so kind as to give us a translation of this oath of his own, in which he very judiciously leaves out the words "Domini nostri papæ et successorum prædictorum:" alters 'cause to be conserved' for 'endeavour to preserve;' 'imagined' for 'contrived;' 'seats' for 'sees;' 'persecute' for 'prosecute;' 'personally' for 'in person;' and 'counsel' for 'advice.'

Page 95. col. 1. Mr. Collier observes, that "the bishop's remark that 'suffragan bishops were put down by degrees from the ninth century,' will not hold."

But, with submission, he either does not, or will not understand what the bishop means by suffragan bishops. He must have as mean an opinion of the bishop's understanding as he has of his honesty, to suppose that his lordship did not know that here in England, to the very time of the Reformation, our bishops had their deputies, whom they called suffragans, who had been consecrated bishops of sees in *partibus infidelium*. But these were very different from the *chorepiscopi*, or suffragans, of whom the bishop speaks; and whose order, it is true, by the pope's tyranny, came to be laid aside soon after the ninth century.

Page 96. col. 1. Mr. Collier charges the bishop with "misrepresenting the universities, clergy, and religious, and wrongfully charging them with constant opposition to the Reformation."

And yet Mr. Collier himself says, page 45. col. 1, that "the leading Churchmen thought all innovation dangerous, and that the fundamentals of religion might suffer this way:" which, to me, seems exactly the same account that is given by the bishop, History, &c. vol. 1. p. 83. See likewise Hall's Chron. fol. 188, 189. reign, Hen. VIII.

Page 104. col. 1. Mr. Collier insults the bishop for his calling Cromwell's office of "vicegerent and vicar-general two different places;" affirming "they were held by two different commissions, and not recollecting his mistake when his lordship met with Cromwell's commission for vicar-general." But there is this to be said for his lordship; that it appears by

the king's commission to those whom Cromwell had deputed to be the king's commissaries, under him, that Cromwell was styled vicegerent, vicar-general, special and principal commissary and official. Now, it is plain from Lyndwood that "*vicariorum generalium potestas differt ab officialium principalem potestate.*" Why might not then the power of a vicegerent differ from that of a vicar-general? The act, 31 Hen. VIII. cap. 10, appoints the vicegerent to sit upon the same form that the archbishop of Canterbury sitteth on, and above the same archbishop. Bishop Stillingfleet seems to have thought the offices of vicegerent and vicar-general two different offices: thus he expresses himself: "By virtue of this act, 26 Hen. VIII. cap. 1, Cromwell was made vicegerent and vicar-general, for both are in the same commission." And yet it appears that Cromwell was summoned to parliament by the title of the king's vicar-general in spirituals. As to the bishop's "meeting with Cromwell's commission for vicar-general," it does not appear that his lordship ever met with it. Mr. Collier very roundly affirms, that "it is still extant," and refers to a copy of it in his Collection. But besides that what we find there is only a piece of a commission, Mr. Collier himself calls it "King Henry VIII.'s commission in allowance of the deputation made by Cromwell, vicar-general."

Page 108. col. 2, Mr. Collier accuses the bishop of saying, that "about the end of the eighth century the monks possessed themselves of the greatest part of the riches of the nation,—the best part of the soil of England." But this is very foul misrepresentation. The bishop's words are, "About the end of the eighth century the Danes began to make their descents into England, and made every where great depredations; and finding the monks had possessed themselves of the greatest part of the riches of the nation, they made their most frequent inroads upon these places where they knew the richest spoil was to be found." These words of the bishop, fairly construed, cannot be understood precisely of the time when the Danes began to make their descent, viz. 750; or, as others write, 754, 870. These descents of theirs continued till 1009: during which time, our historians assure us, that they did plunder many of the monasteries, and take from them a great many valuable things, both in gold and silver, to wit, crosses, chalices, and candlesticks.—See the Saxon Chronicle. What the bishop says of the

religious having "the best part of the soil of England," is in his preface to the second volume of his history, where his lordship writes of "the discovery of the imposture of purgatory," which must refer to the time of the Reformation, when bishop Saunderson tells us, they were "lords of little less than one half the temporalities (lordships, &c.) of the kingdom."

Page 109, col. 1. Mr. Collier calls the bishop's saying, that the translation of the Scriptures into the vulgar tongue, "continued till the state of monkery rose; and then, when they engrossed the riches, and the popes the dominion of the world, it was not consistent with these designs, nor with the arts used to promote them, to let the Scriptures be much known," a severe accusation, and attempts to disprove it. But how? Why, by showing what nobody denies, that the Holy Scriptures were translated into the Saxon tongue. But is it not a notorious fact, that afterwards they were read in the Churches in Latin, and the people denied the use of them? Can Mr. Collier say that the Scriptures were translated into the English spoken after the Conquest, till Dr. Wickliff undertook it, viz. above 300 years? No; it is a just observation made by Mr. Wharton, that the "means of greater knowledge were studiously hidden from the people: the ignorance of the laity was so advantageous to the interest of the clergy." Insomuch that we are assured by Richard Fitzraugh, archbishop of Armagh, 1357, that he had "sent three or four of the rectors of parish churches in his diocese to Oxford, and that they were forced to return back to their own country, Ireland, because they could not buy or have a Bible to use, or any other books of divinity: they being all bought up by the friars," &c.

Page 170, col. 2. Our learned Church historian accuses the bishop of "misreporting Bonner," because his lordship intimates he was of the "popish party," when he took out the king's commission for his bishopric, 1539. "Fox," our historian says, "has given several instances to prove that Bonner, till the fall of Cromwell, was a zealous promoter of the Reformation, which is likewise afterwards confessed by the bishop;" who says of him (Histor. part I. p. 299), "Now Bonner began to show his nature. Hitherto he had acted another part. For being most extremely desirous of preferment, he had so complied with Cromwell and Cranmer, that

they had great confidence in him." Just as John duke of Northumberland acted in the next reign. Does Mr. Collier himself really believe that ever Bonner was not of the popish party, or that *bond fide*, and by principle, he was a "zealous promoter of the Reformation?"

Page 173, col. 2. Mr. Collier says of the bishop, that he "censures our historians without proof," because his lordship says, "some of our own writers deserve a very severe censure who write, that the abbots of Glastonbury, Reading, and Colchester, were attainted of high treason for denying the king's supremacy;" for which his lordship gives this reason, which one would think was a good one, that "the whole clergy, but most particularly the abbots, had over and over again acknowledged the king's supremacy." But there is no such thing as the bishop's pleasing Mr. Collier. Only a few pages before he blames the bishop for misrepresenting and wrongfully charging the religious as constant opposers of the Reformation, when they had made "a general renunciation of the pope's supremacy."

But now the tables are turned, and we are told that "people's opinions alter sometimes, and conscience and courage improve," for a proof of which he instances in Gardiner, who had "solemnly renounced the pope's authority; but notwithstanding all his disclaiming, there were violent presumptions that he had secretly reconciled himself to the pope." To which instance he might have added that of friar Forest, one of the Observant friars, who, it is said, declared that "he took the oath with his outward man, but his inward man never consented thereunto." Rare examples of "conscience and courage improving!"

Page 181, col. 1. Mr. Collier contradicts the bishop's saying that "it is certain lord Cromwell was a Lutheran," and will have it that he "died in the communion of the then Church of England;" and yet he "readily grants that Cromwell was no Papist at his death. But then," says he, "it is pretty plain he was no Protestant neither." So that it seems "the then Church of England, or the religion professed by king Henry VIII.," was neither Lutheran, Popish, nor Protestant.

Page 187, col. 1. Our learned historian observes, that the bishop "goes too deep in his censure," when he says, that

"in the time of popery there had been few sermons but in Lent, and that the people had been little acquainted with the fundamentals of Christianity."

Mr. Wharton seems to me to say something like this when he observes, that "all genuine and rational knowledge of religion had generally given place to fabulous legends and romantic stories." For a specimen of the preaching then used, see the Festival printed for Wynkyn de Worde, 1532.

Col. 2. Mr. Collier tells us, that the bishop's "taking notice, 'that none were to preach without a particular license from the king, or his diocesan, &c.,' is plainly mistaking the matter." But, with submission, it is not. The act 34, 35 Henry VIII. c. 1, provided, that "no manner of person, &c., shall take upon him or them to read, preach, or teach openly to others in any church, &c., unless he be so appointed thereunto by the king's majesty, or by any ordinary."

Page 219, col. 1. Mr. Collier corrects the bishop for saying that, "by king Henry's letters-patent," granted to the bishops for holding their bishoprics, "it is clear that the episcopal function was acknowledged to be of Divine appointment." "The commission," says Mr. Collier, "seems to be embarrassed and inconsistent." Supposing it is, he owns that "the clause 'per,'" as he misreads it, for 'præter,' 'et ultra ea quæ tibi et sacris literis divinitus commissæ esse dignoscuntur,' does impart a Divine authority." A Divine authority to do what? Why, to exercise the episcopal function. Is not this to acknowledge the function to be of Divine appointment?

Page 220, col. 2. Mr. Collier, in express contradiction to the bishop, who had said, that "the privy-council's authority had been raised so high by 31 Henry VIII. c. 8, that they were empowered sufficiently for displacing" the lord chancellor or putting him out of his office, affirms that, "if the privy-council had no other warrant to support their proceedings than this act, it is pretty plain they exceeded their authority. The statute," he says, "relates only to proclamations; and it is expressly 'provided, that the words, meaning and intent of this act be not misunderstood, &c., that by virtue of it any of the king's liege people, &c. should have any of his or her inheritances, lawful possessions, *offices*, liberties, privileges, franchises, goods, or chattels taken from them.' Which word *office*," the learned historian says, "brings the lord chancellor's

case fully within the saving of the statute." As if, after the making this statute, the king's highness, with the advice of his honourable council, could not dispossess a lord chancellor of his office, or that the office of a lord chancellor was an office of inheritance. But for this I refer myself to those who are learned in our laws.

Page 247, col. 1. Mr. Collier opposes the learned Dr. Hammond to the bishop, as of "a different sentiment" from his lordship; who affirmed, that "it is certain that confession to a priest is no where enjoined in the Scripture." Of this I should have taken no notice, was it not one of the places referred to in the advertisement: it being nothing to the History of the Reformation what the sentiments are of Dr. Hammond or bishop Burnet. But to prove that confession to a priest is somewhere enjoined in Scripture, Mr. Collier tells us, "Dr. Hammond observes, that the king's MS. has the particle *oſ*, therefore, and that this plainly refers the exhortation to the 14th verse, where the sick person is directed to call for the 'elders of the church.'" To this I think it sufficient at present to say, that the doctors of this Church are generally of a "different sentiment," particularly the compilers of the second tome of homilies, &c., in the second part of the homily of repentance.

In the 2nd col. The bishop is chastised for giving "a reason that is not strong enough to support the assertion." The assertion is, that in the "primitive Church there was no obligation to confess secret sins." The reason given by the bishop for this assertion is, that "all the canons were about public scandals." Does Mr. Collier deny this? or does he produce any canons obliging men, &c., to confess their secret sins, make a discovery of their lives, open their minds, and lay even their thoughts before a priest? No. How then does it appear that there was in the primitive Church any obligation to confess secret sins? Why, Mr. Collier says, "they who confessed privately were ordered to do open penance." But by what authority were they so ordered, if all the canons were about public scandals? The words quoted by Mr. Collier do not prove this assertion of his: "*eaſ autem stare ſine communionē juſſerunt donec impleretur tempus pœnitentiæ.*" Surely men and women may abstain from the communion for a time, and yet not do public penance. Mr. Bingham assures us, that

"as to private crimes, they laid no necessity upon the consciences of men, to make either public or private confession of them to any besides God, to qualify them for the communion."

Page 248, col. 2. Mr. Collier tells us, that the bishop "somewhat mistakes matter of fact," in reporting, that at the time of the Reformation there was "a total disuse of all public censure," and proves it by Jane Shore's doing public penance in Edward V.'s time. Then he observes that Heylin gives a different account from that of the bishop of the reception of the new communion book. The bishop had said that "it was received over England without any opposition." Heylin tells us, that "in obedience unto the lords of the council's commands, to cause the said book to be delivered to every parson, vicar, &c., as all the bishops did not perform their parts alike, so many parish priests, not being willing to advance so good a work, laboured to disaffect the people to the present government. And to that end it was endeavoured in their sermons to possess their auditors with an ill opinion of the king." But the bishop observes, that "complaints were brought of Gardiner, that he did secretly detract from the king's proceedings, and that the popish clergy began generally to have it spread among them, that though they had acknowledged the king's supremacy, yet they had never owned the council's supremacy." Yet for all this it may be true, that however the new communion book might be secretly disliked, it might be received without any set or public opposition.

Page 262, col. 1. The bishop is charged with "a mistake in affirming that the English clergy were not by any vow precluded from marriage." To prove this, the bishop observes, that "the rites of the Roman pontifical did not oblige them to coelibate. The words were, 'Wilt thou follow chastity and sobriety?' to which the subdeacon answered, 'I will.' But that there was no such question or answer made in the forms of the ordination of the English clergy." What now does Mr. Collier say to this? Why that "by a canon of the council of Winchester, held under Lanfranc, those who were ordained priests or deacons had a form prescribed them for renouncing matrimony." And is this a demonstration that the English clergy were obliged at their ordination to profess chastity? The learned writer of the Treatise of the

Celibacy of the Clergy, would have shown Mr. Collier that neither the canon of Lanfranc, nor the prohibition of Anselm, in relation to the clergy's marrying, were regarded by the English clergy; that many of them shut up the doors of their churches, and omitted all divine service; and that the use of marriage was yet retained by the clergy of the Church of England in the middle of the fourteenth age. What a heavy charge must this be on them, if they were precluded from marriage by any vow at their ordination! Mr. Collier adds, that "as to the charge of licentiousness of the priests, it is to be hoped the bishop has set it too high." Though all his lordship says is, "that these laws against the marriage of the clergy had brought a great deal of uncleanness into the Church." Mr. Collier himself allows, that for the practice of "their entertaining women under the character of concubines, the clergy had license from their bishop." And it appears by the acts of the metropolitcal visitation of archbishop Warham, that in the two little dioceses of Bangor and St. David's, above eighty priests were actually presented for incontinency.

Page 281, col. 2. The "answer," reported by the bishop to be made in defence of Bonner's deprivation is by Mr. Collier found fault with as "seeming short of satisfaction." But this is to dispute, not to write history, or however to be an historian of opinions, not of facts. Mr. Collier has a mind to let us know that his opinion is, that an English bishopric is a pure "ecclesiastical charge," without any temporal jurisdiction.

P. 282, col. 1. The bishop is accused of "misreporting matter of fact in the account" he gives "of the emperor Constantine's proceedings against the bishops." Mr. Collier will not allow the emperor to have any thing to do to judge of the sentence passed on a bishop, but that he should only "settle matter of fact, see the records inspected," and execute the Church's judgment. But Socrates expressly asserts, that Paul, bishop of Constantinople, was deprived of that bishopric by the emperor Constantius, who, he says, appointed Eusebius in his room.

Page 305, col. 2. The bishop's saying that "the canon law not being rectified, and the king's being in the pope's room, &c. seems an insufficient defence" of the proceedings against bishop Gardiner. But it does not appear that the bishop ever designed this observation for a defence of them, since he says

that these circumstances "rather excused than justified this hard measure Gardiner met with."

Page 316, col. 1. The bishop is reflected on for saying that "it was generally believed, that all this pretended conspiracy, upon which the duke of Somerset was condemned, was only a forgery." But thus Grafton, who lived at this time, tells us, that "the duke being condemned, the people spake diversely, and murmured against the duke of Northumberland, and against some other of the lords, for the condemnation of the said duke, and also, as the common fame went, the king's majesty took it not in good part." This sure is sufficient to show what was then the general belief.

Page 317, col. 1. "The character," which the bishop here gives of "the duke of Somerset," Mr. Collier says, "runs him on a strong inconsistency with what he had writ before." The bishop had observed, p. 184, that "it was also said, that a course of unusual greatness had raised the duke too high, so that he did not carry himself to the nobility with that equality which they expected from him." And here he says, that "he was humble and affable in his greatness;" so he might be, and yet "not carry himself toward the nobility with that equality which they expected." Grafton says, "he was of a nature very gentle and pitiful, and was beheaded to the lamentable alight and grief of thousands, that praised God for him, and entirely loved him."

Page 317, col. 2. The bishop is said by Mr. Collier, to "run out into a general invective against all bishops who concern themselves with affairs of state and civil jurisdiction." But this is misrepresentation. What the bishop argues against is, "bishops forsaking their sees to undertake secular affairs, — their being chiefly employed in all affairs and offices of state, — their thrusting themselves into the courts of princes, and ambitiously pretending to the administration of matters of state." And let Mr. Collier, if he can, reconcile such behaviour to the holy Scripture, their ordination vows, or the canons of the Church.

Page 318, col. 1. It is insinuated as if the bishop confuted himself, by saying, that "the ignorance of those ages of Charles the Great and his son, made it in a manner necessary, that the bishops should have a share in all public councils, and be chiefly employed in all affairs and offices of state." As if

there was no difference betwixt its being necessary, &c. and their thrusting themselves into these "eccentric" employments.

Page 348, col. 2. Our bishop's veracity is disputed in saying that "one Beal informs us that, in many places of the country, men were chosen for queen Mary's first parliament by force and threats," &c. But we have the same account given us by Mr. Fox and Mr. Strype, of one John Hales, who in an oration to queen Elizabeth told her majesty so.

Page 354, col. 1. The bishop is charged with "writing wide of matter of fact," because his lordship says, "it was resolved that Cranmer should be still esteemed archbishop, till he was solemnly degraded according to the common law." Whereas Mr. Collier says, "immediately after Cranmer's attainder his see was declared void," &c. But the bishop was not so ignorant as not to know that, according to our law, Cranmer was looked upon as divested of his archbishopric, being a person attainted. The question was, whether he was so reputed by the pope's canon law? If he was, one would think the pope would not have made out a process against him, cited him to appear at Rome, and pronounced a formal sentence of deprivation against him.

Page 365, col. 2. A charge of "misinformation" is brought against the bishop, for writing that "bishop Barlow was never married:" whereas, says Mr. Collier, "Barlow had five daughters, married to five bishops. He had likewise a son." This he took from Harmer: but if Mr. Strype be right, Harmer was misinformed, as well as the bishop, for, according to him, "Barlow had seven sons and five daughters."

Page 366, col. 1. Again the bishop is reflected on as "mounting the rigour" used to the reformed clergy in queen Mary's reign, "beyond matter of fact:" because his lordship says, that "the married clergy were all summarily deprived." "No," says Mr. Collier, "a year's time was allowed the clergy to abjure their heresy, and put away their wives: there are many processes and deprivations of married clergymen entered in the Canterbury Register: from whence it follows, the customary forms were observed, and that they were not all summarily deprived." But the learned historian seems not to know the meaning of the law term *summarie*. He should therefore have consulted "Lanfranc de Orianio Practica Judiciaria." The

bishop, it is plain, expressed himself in the very terms of the commissions granted on this occasion, viz. "*Negotio illis summarie et de plano, sine ullo strepitu et figura judicii exposito et declarato, — per summariam examinationem et discussionem negotii per vos fiendam.*"

Col. 2. The bishop is said to make "a hard reflection on the honourable house of commons," 1554: because he tells us, that "Gardiner had beforehand prepared them by giving the most considerable of them pensions." As if this was more than the learned Heylin had said of Edward VI.'s parliament, viz. that "the cards were so well packed by sir Ralph Sadler, that there was no need of any other shuffling till the end of the game."

Page 398, col. 2. Mr. Collier tells us, that the bishop "makes a tragical complaint of the rasure and destruction of records in this reign." His lordship's words are, "it is not upon record how they executed this commission, to search all registers, to find out both the professions made against the pope, and the scrutinies made in abbeys, but the effects of it appear in the great defectiveness of the records, in many things of consequence, which are razed and lost."

Mr. Collier's business is to show that "that there were no such rasures." He is pleased to observe, that "the design of this search was to inform the queen of the contents of such instruments, and that they might be considered, and disposed of as her majesty thought fit." But it appears by the commission, that the contents of these instruments were already come to her majesty's knowledge and understanding. What now could be the meaning of this commission to have brought before the commissioners, "all and singular the said accounts, books, scroles, instruments, or other writings concerning the premises," but to prevent the supposed mischief of them, which is said to be the tending to subvert and overthrow all good religion, and religious houses! Mr. Collier particularly instances in some of these accounts, books, &c. being extant after the execution of this commission. But the bishop does not say that the records were all razed and lost, but only that "many things of consequence" in them were razed: and truly this is too sure to be seriously denied.

Page 404, col. 1. Mr. Collier questions the truth of the bishop's saying, that "he found it said that some advised that courts of inquisition, like those in Spain, might be set up in

England." This the learned historian treats as a falsehood of the bishop's own invention. "He is not pleased," says he, "to tell us by whom it is said, neither can he meet with this advice in any of our historians: nay, even Fox himself, (as if he stuck at nothing to blacken the Papists,) is silent in the case." And is not this demonstration that the bishop is a liar? The learned and faithful historian goes on in observing, that "the queen declared her resolution to maintain the prerogative and constitution. King Philip's confessors declaimed against persecution in the pulpit;" to which he adds the gentleness and uncontested good-nature of cardinal Pole. Considering these things," says he, "one would think the project of an inquisition looks very improbable." See Memorials of Archbishop Cranmer. The bishop might, and I believe did, find it said in some of the written memoirs of those times, that an inquisition was projected and advised by some hot fiery spirits. If a man's honesty may be questioned, only because he does not produce vouchers for every thing he says, though of no consequence to the history he writes, what a character will most historians have, particularly Heylin and Collier?

Page 424, col. 1. Again is the *crimen falsi* attempted to be fixed on the bishop. His lordship had wrote that "the bill for restoring of all persons that were deprived of their benefices because of their marriage, was ordered by the queen to be laid aside." "But," says Mr. Collier, "had this been matter of fact, — but this author is somewhat mistaken." Mr. Strype intimates there were "two bills of the same import," and that the old one that had been twice read was thrown by.

Page 435, col. 2. All that I find laid to the bishop's charge is, that his lordship "appears inclined to justify the queen's commissions for a royal visitation all over England."

These are the several places of Mr. Collier's Ecclesiastical History, to which we are referred by the Advertiser, to prove the bishop guilty of "apparent and undeniable misperformances," and one who deserves no manner of credit to any bare affirmation of his. But besides these we are directed to see Mr. Collier's "Answers to some exceptions in bishop Burnet's third part of the History of the Reformation." With your leave, therefore, I will take a view of that, so far as the bishop is concerned in it.

Page 4, col. 1. The bishop is represented as doing "incom-

prehensible justice in giving sentence without hearing the cause; censuring an author without reading him; especially when he refers to evidence," &c. All this satire is occasioned by his lordship's saying, "A voluminous author, who has lately pretended to have written our ecclesiastical history, seems to have carried one design in his mind from the beginning to the end of the second volume, (I have not read his first) to soften and excuse the corruptions of popery," &c. But his lordship had no occasion to read the first volume, to know that Mr. Collier had "softened even Thomas Becket's behaviour," with so mild a censure, as that "his conduct in this dispute, was not altogether defensible, although he was far from being guilty of that gross mismanagement with which he is charged by William Thomas, viz. that upon his retiring, the king and kingdom was excommunicated and put under an edict upon his account."

But Mr. Collier is so hardy as decisively to pronounce this relation as a mistake.

Let him, therefore, hear Fitzstevens.—"*Iterum jubet [rex] subtilius præcavens tandem, ut nullus in Angliam transfretaturus recipiatur, nisi habeat regis literas; ne forte aliquis interdicti sententiam quam sciebat archiepiscopum habere in Angliam deferret.*"

This the bishop knew full well: but because his lordship thought it needless, particularly to prove so notorious a fact, our learned historian declaims against him, as "affording no more than bare affirmation for the point." "If, says he, "we will not resign to implicit belief, wink against evidence, and take his word for the controversy, we must keep our old opinion, for here is no light let in to inform us farther."

Page 290, col. 2, of his History, (a place, it seems, which had escaped the Advertiser's notice,) Mr. Collier observes, that "here, as it happens, the bishop has been led into a mistake, 'in mentioning the difference between the Ordination Book set out at that time, 1549, and that we now use.' The two first editions of the Ordinal made in King Edward's reign have none of the different rites mentioned by this gentleman," quoth Mr. Collier. He now owns (p. 6, c. 1), that "the Ordinals he perused, printed in 1552, were not the first;" and (in the Postscript) that, "upon perusal of the Ordinal printed A. D. 1549, of which at last he had a sight by the favour of a gentleman uncommonly well furnished with curiosities of the

press, he finds the Bible laid on the bishop's neck, the pastoral staff put in his hand, and the chalice with bread in it for the priest, some of the consecrating and ordaining ceremonies." But he comforts himself with this consideration (p. 7, c. 1), that he "can better afford to be somewhat mistaken than the bishop; for, granting him right in this remark, he is plainly wrong in all the rest." How true this is, let any one judge who considers what has been said of Thomas Becket. But as it was the design of Providence, by permitting Mr. Collier to blunder as he does, to teach him humility, he mistakes even after reproving the bishop, and inspecting the book, or "an oyer of the record." Let him look once more: he will find that "the chalice with the bread in it" is not one of the "ordaining ceremonies" for a priest. The words of the Rubric are: "The bishop shall deliver to every one of them the Bible in the one hand, and the chalice or cup with the bread in the other hand, and say." It seems taken from the Roman Pontifical, "*De Ordinatione Presbyteri*," where the bishop is thus represented: "*Tum tradit cuilibet successive calicem cum vino et aqua et patenam superpositam cum hostia.*" One would think Mr. Collier might have known, that, though putting the bread in the cup be a mass-ceremony, it is not an ordaining one.

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THE END.
